



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

### Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

### About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>

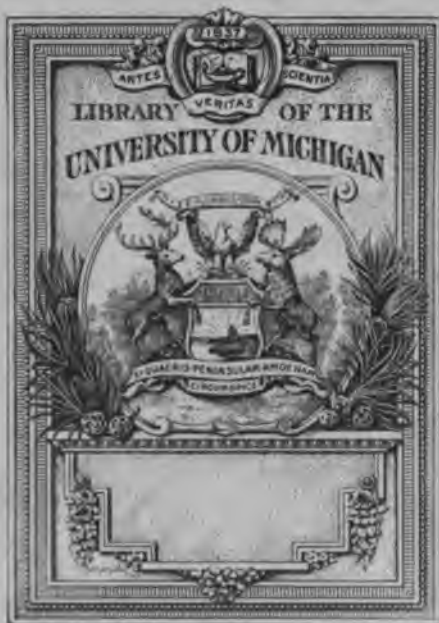
B 1,330,803

DRY

THE

UNITED

CHICAGO









**THE**  
**UNITED STATES**

**VOL. II.**

PRINTED BY  
SPOTTISWOODE AND CO., NEW-STREET SQUARE  
LONDON

HISTORY  
OF THE 35846  
UNITED STATES

FROM THE FOUNDATION OF VIRGINIA TO THE  
RECONSTRUCTION OF THE UNION

By PERCY GREG  
AUTHOR OF 'ACROSS THE ZODIAC' 'SANGUINAC' ETC.

IN TWO VOLUMES

VOL. II.

LONDON  
W. H. ALLEN & CO.  
1887

*All rights reserved*

1

CONTENTS  
OF  
THE SECOND VOLUME.

---

BOOK IV.—*continued.*

*DIVERGENCE.*

---

CHAPTER VII.

|   |      |
|---|------|
| ECONOMIC, SOCIAL, AND MORAL ASPECTS OF SOUTHERN | PAGE |
| SLAVERY . . . . .                               | 1    |

CHAPTER VIII.

VAN BUREN AND TYLER.

|  |   |
|--|---|
| The Convention System—Financial Reaction—Election of 1841—The<br>Whigs—Tyler's False Position—The Ashburton Treaty . . . . . | 6 |
|--|---|

CHAPTER IX.

INCIDENTS—1837-48.

|   |    |
|---|----|
| Effect of the Gagging Resolutions—Abolitionist Petitions—Adams as a<br>Free-soil Champion—His Posthumous Memoirs—Dorr's Rebellion—<br>New York Anti-renters . . . . . | 16 |
|---|----|

---

BOOK V.

*DISUNION.*

---

CHAPTER I.

THE REVOLT OF TEXAS.

|  |    |
|--|----|
| Settlement of Texas—Mexican Revolutions—Santa Anna—Texan Rebellion<br>—Mexican Barbarity—San Jacinto . . . . . | 23 |
|--|----|

## CHAPTER II.

## SECTIONAL CONFLICT. TEXAS AND OREGON.

|   |            |
|---|------------|
| Balance of Power—Oregon Boundary Question—American Treatment of Mexico—Southern Interests . . . . . | PAGE<br>27 |
|---|------------|

## CHAPTER III.

## ANNEXATION.

|   |    |
|---|----|
| The Election of 1844—The Session—Consequent Annexation of Texas . . . . . | 34 |
|---|----|

## CHAPTER IV.

## THE MEXICAN WAR.

|  |    |
|--|----|
| Constitutional Issue—The Whig Policy—War Commenced and Declared—Palo Alto, Resaca de las Palmas, Monterey—Armistice—California—Offensive or Defensive?—Buena Vista—Vera Cruz—Occupation of the Capital—Peace . . . . . | 41 |
|--|----|

## CHAPTER V.

## FIGHTING FOR THE SPOILS.

|   |    |
|---|----|
| Northern Aggression—The Wilmot Proviso—The South stands by the Missouri Compromise—Refused—Election of 1848—General Taylor chosen President—Political Position of the South . . . . . | 55 |
|---|----|

## CHAPTER VI.

## SLAVERY, THE BIBLE, AND THE CHURCHES.

|   |    |
|---|----|
| Coloured Seamen in Southern Ports—The Envoy of Massachusetts expelled from South Carolina—Disruption of the Churches—Pro-slavery Divinity and Abolitionist Denunciation . . . . . | 61 |
|---|----|

## CHAPTER VII.

## THE COMPROMISE OF 1850. TESTAMENT OF CALHOUN.

|   |    |
|---|----|
| Disunion in Sight—Alarm of the Statesmen—Last Speech and Death of Calhoun—The Compromise Measures—The Fugitive Slave Law—Speech of Webster—His Motives and his Fate . . . . . | 69 |
|---|----|

## CHAPTER VIII.

## THE FILIBUSTERS.

|   |    |
|---|----|
| Lopez and Crittenden—Cuban Intervention—Executions—American feeling—Central America—Clayton-Bulwer Treaty—Walker—Interoceanic Canals and Railways . . . . . | 86 |
|---|----|

CHAPTER IX.

'UNCLE TOM.'

|   |            |
|---|------------|
| Its Opportuneness—Reasons of its Popularity—Dramatised—Essential<br>Falsehood of the Whole Picture—Note on the Realities of the Subject | PAGE<br>93 |
|---|------------|

CHAPTER X.

PIERCE'S GOVERNMENT—THE KANSAS-NEBRASKA BILLS.

|  |    |
|--|----|
| Failure of the Compromise—Schemes of Annexation—Irrresolution of the<br>Cabinet—Douglas's Nebraska Bill—Its Studied Ambiguity—Squatter<br>Sovereignty—Rendition of Burns . . . . . | 99 |
|--|----|

CHAPTER XI.

A FALSE ISSUE.

|   |     |
|---|-----|
| Immigration—Romanism—Reaction; the Know-nothings—Their False<br>Position towards Slavery—Their Dissolution—Sectional Contest for<br>the Speakership—Formation of a Party on the Basis of Enmity to the<br>South . . . . . | 108 |
|---|-----|

CHAPTER XII.

KANSAS—THE SWORD DRAWN.

|   |     |
|---|-----|
| The Scramble—Emigrant Aid Societies—Missourian Reprisals—Anarchy<br>and Civil War—The Free-soilers Disciplined Invaders—Reciprocal<br>Crimes—The President's Message—The Republican Platform Declares<br>War on the South—The Example of California . . . . . | 117 |
|---|-----|

CHAPTER XIII.

A COSTLY CANING.

|  |     |
|--|-----|
| Sumner's Speech—Personal Insult to Brooks's aged Uncle—Brooks's<br>Character—Sumner's superior Strength—The Thrashing—Sumner's<br>Submission—Violent Sympathy shown by their Sections for either<br>Offender . . . . . | 126 |
|--|-----|

CHAPTER XIV.

THE PRESIDENTIAL CAMPAIGN, 1856.

|   |     |
|---|-----|
| Sectional Temper—The Republicans—Democrats—Know-nothings—<br>Buchanan and Fremont—Significance of the Results . . . . . | 130 |
|---|-----|



## CHAPTER XV.

## KANSAS SETTLEMENT. DRED SCOTT CASE.

|  |             |
|--|-------------|
| Mr. Buchanan's Efforts to reconcile the Kansas Factions—Perversity of the Free-soilers—Settlement—Case of Dred Scott—Decision of the Supreme Court—Repudiated by the Republicans—Helper Manifesto—John Brown . . . . . | PAGE<br>136 |
|--|-------------|

## CHAPTER XVI.

## THE BREAK-UP OF PARTIES.

|  |     |
|--|-----|
| Situation of 1860—The South had <i>Led</i> the <i>Union</i> where the North now Claimed to <i>Govern</i> the <i>South</i> —Slavery Doomed by Separation—The North deceived by its Leaders—Full Notice given—Division of Parties—Democratic Convention—Conduct of Douglas—The Election—Its Significance . . . . . | 147 |
|--|-----|

## CHAPTER XVII.

## THE MORMONS.

|   |     |
|---|-----|
| Joe Smith—The Book of Mormon—Unprovoked Anti-Mormon Atrocities—Murder of the Prophet—Brigham Young—The Exodus—Salt Lake City—Saints and Gentiles—Federal Policy—Mormon Morals . . . . . | 159 |
|---|-----|

## CHAPTER XVIII.

## CHARACTERISTICS.

|   |     |
|---|-----|
| New England and Virginia—Puritan and Cavalier—English Character of the Border States—The West—The South-West—Slavery in Virginia and in the Gulf States . . . . . | 177 |
|---|-----|

## BOOK VI.

## THE WAR OF SECESSION.

## CHAPTER I.

## SECESSION.

|  |     |
|--|-----|
| Strictly Legal Character of the Movement—Withdrawal of the Southern States—Of their Senators and Representatives—Mr. Davis—Comparison with the War of Independence . . . . . | 191 |
|--|-----|

CHAPTER II.

CONCILIATION. REPUBLICAN OBDURACY AND SOUTHERN  
FORBEARANCE.

|   |      |
|---|------|
|   | PAGE |
| Reaction in the Middle States—The Peace Convention—The Crittenden<br>Compromise—The Republican Leaders bent on War—Conduct of<br>Southern Statesmen, Soldiers, and People . . . . . | 201  |

CHAPTER III.

REPUBLICAN DUPLICITY. THE TRUE STORY OF SUMTER.

|   |     |
|---|-----|
| Lincoln's Strange and Ambiguous Speeches—Negotiations—Evacuation of<br>Sumter repeatedly promised by the Federal Government—Treacherous<br>Attempt at Surprise—The War forced on the South by Republican<br>underhand dealings—The Motive . . . . . | 212 |
|---|-----|

CHAPTER IV.

THE CHOICE OF THE STATES.

|   |     |
|---|-----|
| Mr. Lincoln proclaims War—Compels the Border States to take a side—<br>Heroism of Virginia—Maryland betrayed by her Governor and enslaved<br>by surprise—Kentucky and Missouri, Arkansas, Tennessee and North<br>Carolina—West Virginia and East Tennessee—Comparative Resources<br>—Southern Geography—Threat to hang Southern Seamen—Medicines<br>declared Contraband . . . . . | 223 |
|---|-----|

CHAPTER V.

OPENING OF THE WAR. MANASSAS.

|  |     |
|--|-----|
| The Proclamation of Blockade—Missouri and Kentucky—Presidential<br>Usurpations—Military and Political Situation—Battle of Manassas<br>Junction—Rout of Bull Run—Absence of Pursuit . . . . . | 241 |
|--|-----|

CHAPTER VI.

ORGANISATION OF THE FEDERAL ARMY.

|   |     |
|---|-----|
| The North benefits by Defeat—The South half-demoralised by Victory—<br>Appointment of M'Clellan—Quality and Condition of Northern<br>Soldiery . . . . . | 251 |
|---|-----|

CHAPTER VII.

THE CONFEDERATE WESTERN DEFENCES SHATTERED.

|  |     |
|--|-----|
| Fremont, Halleck, Sherman and Grant—Fort Donelson—Island Number<br>Ten—River Battles—Two Days' Battle of Shiloh—The Confederate<br>Situation . . . . . | 256 |
|--|-----|

CHAPTER VIII.

ANTICIPATIONS OF THE VIRGINIAN STRUGGLE.

|  | PAGE |
|--|------|
| Terrors of the Federal Cabinet—Interference with Military Plans—Outrage on the <i>Trent</i> —English Forbearance—Butler at Fort Monroe—Battle of Hampton Roads . . . . . | 268  |

CHAPTER IX.

FALL OF NEW ORLEANS.

|   |     |
|---|-----|
| Federal and Confederate Naval Resources—Position of New Orleans—Defences—Hostile Expedition—Farragut and Butler—Bombardment of the Ports—Naval Encounter—Surrender—Butler's Government—His 'Woman Order'—His Recall . . . . . | 281 |
|---|-----|

CHAPTER X.

THE PENINSULAR CAMPAIGN, APRIL—AUGUST, 1862.

|  |     |
|--|-----|
| Relative Strength—M'Clellan's Delusions—Confederate Retreat—Richmond—Battle of Seven Pines—Lee's Appointment—His Arrangements—Confederate Attack—The Six Days' Flight—Malvern Hill—Ruin of the Peninsular Army . . . . . | 292 |
|--|-----|

CHAPTER XI.

WEST AND EAST.

|  |     |
|--|-----|
| Comparative Quality of the Federal Armies—Lincoln's and Davis's Choice of Men—Battle of Corinth—Holly Springs—Failure of the Campaign—Capture of Arkansas Post . . . . . | 304 |
|--|-----|

CHAPTER XII.

LEE'S AUTUMN CAMPAIGN, 1862.

|   |     |
|---|-----|
| The Iron Shroud—The Southern Offensive—Plan and Purpose—Pope's Appointment, Vaunts, and Ignominious Defeat—M'Clellan Recalled—Lee enters Maryland—Capture of Harper's Ferry—Antietam—Quality <i>versus</i> Numbers—Panic inspired in the North—M'Clellan's Mortal Sin—Close of the Campaign . . . . . | 315 |
|---|-----|

CHAPTER XIII.

BRAGG'S NORTHWARD MARCH.

|  |     |
|--|-----|
| Movement in concert with Lee—Its Objects—Its Dangers—Inaction of Grant—Mismanagement of Buell—Invasion of Kentucky—Enormous Supplies obtained—Confederate Victories of Richmond, Perryville, and Murfreesborough—Close of 1862 . . . . . | 337 |
|--|-----|

CHAPTER XIV.

FREDERICKSBURG.

|  |      |
|--|------|
| Burnside supersedes McClellan—His Government bent on Fighting—       | PAGE |
| Change of Base—Delays, Blunders, and Disasters—Battle of Fredericks- |      |
| burg—Defeat of the Federals—Why Lee forbore to attack them—Their     |      |
| Retreat . . . . .  | 343  |

CHAPTER XV.

THE BULL AGAINST THE COMET.

|   |     |
|---|-----|
| Lincoln's Original Professions—Acts of Illegal Confiscation—Lincoln's |     |
| Bargain with Providence—How fulfilled—The Emancipation Proclama-      |     |
| tion confined to States over which Lincoln had no power . . . .       | 362 |

CHAPTER XVI.

GETTYSBURG.

|   |     |
|---|-----|
| Northern Civilisation and Southern Chivalry—Plan of Lee's Offensive |     |
| Campaign—Its Strategic Character—The Valley cleared of the Federals |     |
| —Meade succeeds Hooker—Gettysburg—The Virginian Army saved by       |     |
| its Prestige alone—Its successful Retreat . . . . .                 | 367 |

CHAPTER XVII.

VICKSBURG.

|   |     |
|---|-----|
| Grant's generalship—Importance of Vicksburg—Attacked in the wrong |     |
| direction—Change of Base—Confederate Difficulties—Fall of Jackson |     |
| —Assaults, Investment, and Fall of Vicksburg—Devastation—The      |     |
| Starry Cross . . . . .  | 382 |

CHAPTER XVIII.

CHICKAMAUGA.

|   |     |
|---|-----|
| Burnside sent to Knoxville—Longstreet joins Bragg—Insubordination and |     |
| Quarrels—Battle of Chickamauga—Grant to the Rescue—Ruinous            |     |
| defeat of Bragg at Chattanooga . . . . .                              | 392 |

CHAPTER XIX.

CHARLESTON HARBOUR.

|   |     |
|---|-----|
| Seizure of Newbern and Port Royal—Destructive Raids—Attempts on |     |
| Charleston—Signal Defeat of the Ironclad Squadron—Bombardments  |     |
| —Defence of Wagner—Of Sumter—Strength of the Federal Navy . .   | 397 |

## CHAPTER XX.

## AUXILIARY FORCES.

|   |             |
|---|-------------|
| Confederate Cavalry—Morgan and Stuart—Federal Cavalry Raids—English<br>Neutrality—Confederate Cruisers, English and Home-built—Story of<br>the <i>Alabama</i> —Treacherous Capture of the <i>Florida</i> —The <i>Shenandoah</i> | PAGE<br>403 |
|---|-------------|

## CHAPTER XXI.

## THE END AT HAND.

|   |     |
|---|-----|
| Hopeless Military Situation of the South—Rout of Banks—Battle of<br>Mobile—Fort Pillow—Fort Fisher—Grant in Chief Command—Con-<br>certed Scheme of Action . . . . . | 419 |
|---|-----|

## CHAPTER XXII.

## CAMPAIGN OF THE JAMES.

|   |     |
|---|-----|
| Grant's First Resort to Brute Numbers—Why Effective in Virginia—Its<br>Strategic Failure—Wilderness, Spottsylvania, Cold Harbour—Grant<br>Defeated in every Battle, and in the Campaign . . . . . | 438 |
|---|-----|

## CHAPTER XXIII.

## THE LAST CAMPAIGNS OF THE WESTERN ARMIES.

|  |     |
|--|-----|
| Hood's Plan—Fails <i>ab initio</i> —Battle of Franklin—Battle of Nashville—<br>Hood's Army destroyed—Sherman's Devastation of the Carolinas—<br>Johnston replaced in command . . . . . | 455 |
|--|-----|

## CHAPTER XXIV.

## 'HABET!'

|  |     |
|--|-----|
| The Net Closed—Five Forks—Fall of Petersburg—The Six Days' Retreat—<br>Soundness of Lee's Strategy—How Baffled—Appomattox Court House,<br>April 9, 1865—Character, Conduct, and Temper of Lincoln—His<br>Assassination—Surrender of Johnston—Capture and Treatment of<br>Davis . . . . . | 460 |
|--|-----|

BOOK VII.  
*RECONSTRUCTION.*

---

CHAPTER I.

CONSEQUENCES OF LINCOLN'S DEATH.

|   | PAGE |
|---|------|
| State of Parties—Lincoln's Personal Ascendancy—His Successor—Condition of the South . . . . . | 483  |

CHAPTER II.

CONTEST BETWEEN THE PRESIDENT AND CONGRESS.

|   |     |
|---|-----|
| Johnson adopts Lincoln's Policy, but not his Spirit—Party Motives for Resisting it—The President's Measures—Contest with Congress—Impeachment—Congressional Reconstruction—Constitutional Amendments—Proscription—Negro Suffrage—Carpet-bag Governments—Reaction—Ku Klux Klan . . . . . | 492 |
|---|-----|

CHAPTER III.

FINANCES OF THE WAR.

|  |     |
|--|-----|
| Confederate Paper—Why issued, how soon worthless—Northern Greenbacks—Popular Earnestness—Indiscriminate Taxation—Efforts to pay off the Debt . . . . . | 515 |
| NOTE ON THE POLICY OF RECONSTRUCTION . . . . .   | 520 |



# HISTORY OF THE UNITED STATES.



## BOOK IV.—*continued.*

### *DIVERGENCE.*

#### CHAPTER VII.

##### ECONOMIC, SOCIAL, AND MORAL ASPECTS OF SOUTHERN SLAVERY.

CALHOUN alone observed, almost from the first, the full significance of the conflict. The Abolitionists were, as he said, waging war upon the South—a war in which the South must conquer or be ruined. She had no choice. Blessed, as he maintained—cursed, as less consistent, differently situate, or clearer-sighted men insisted—with the presence of a vast population, of African blood, of lower morale, intelligence, and civilisation, stamped by Nature's own hand with a striking and indelible mark of inferiority, her wealth depended on their labour: slavery was to her a necessity, a question not of prosperity or decline, of pride or profit, but of social order or anarchy, of national life or death. She could not yield if she would, and ought not if she could. Judging by concrete facts, especially by those forced upon his daily consciousness, judging of free labour by report and of slavery by his own experience, he maintained slavery to be a boon to the slave, and, with less plausibility, a benefit to the master—the safest foundation of democratic freedom. This was a new ground,



for the last generation had treated slavery as an inevitable consequence of the presence of Africans, and that presence as an evil for which they were not responsible. The paradox afforded ground stronger than it seemed. Slavery alone had rendered possible the high civilisation of Greece, Carthage, and republican Rome. It was the belief of all Southerners—a belief strengthened and sustained by the experience of Haiti, of Spanish America, and of the British West Indies—that negro labour depended on slavery: that in a genial climate on a fertile soil, the free negro would sink into absolute barbarism.

The contemporary warfare between capital and free labour in the North and in Western Europe presented a spectacle alarming to statesmen and economists familiar with the noise, conflict, and turbulence of free society—a spectacle simply hideous in the eyes of men like Calhoun. Those were the days of trades-union terrorism, of secret conspiracy and assassination, of machine-breaking and rick-burning, of industrial insurrection and agrarian assassination.

Calhoun spoke the truth when he contrasted the peace and security of the South—the smooth working of her institutions, the material well-being of her labourers, above all the mutual goodwill, affection, and kindness prevailing between master and slave—with the discontent and suffering, the physical and moral hardships of contemporary free labour in European countries and in Northern cities. He affirmed, with perfect truth, that in no free country did the labourer receive so large a share of the produce—the converse of the Abolitionist proposition, that slave labour is the costliest of all. The costliness of slave labour obviously refuted the charge that the labourer was wronged or robbed of his reward; though the charge was rung on these incompatible assertions in every anti-slavery speech, and almost in consecutive sentences. Supported by his master in infancy, in sickness, and old age, the slave was, as Carlyle said, a servant hired for life, and paid throughout that life at a far higher rate than the Irish potato-grower or the Kentish hind. He received

more<sup>1</sup> than the European peasant, and did less than half the work. His old age especially presented to that of the English labourer a contrast of which English society might well be ashamed. It was to him a period of peace, ease, comfort, and honour. No pauper's garb, no pauper's fare, no prison-like workhouse, no separation from wife and children, awaited the last years of the servant who could serve no longer. He occupied his cottage, he basked in the sun, his grandchildren playing round his knees, his grey hairs respected, his infirmities cared for, his temper and his vanities humoured.

The abuses of slavery were terrible, but not more terrible and far less common than the brutalities to which the weak and helpless are subject in the lower class of all communities, in the purlieux of every civilisation. The cruel master was a far less frequent and not one whit more hateful character than the grasping landlord of the city slums, the selfish employer, the brutal father, the drunken husband, the savage ruffian of London courts and Manchester alleys. He stood, moreover, in much more awe of the adverse opinion of his equals, the censure and aversion of his more influential and more cultivated neighbours. Absolute power is a trust for which few men and hardly any women are fit: but the power of social and domestic tyrants in free communities is absolute enough to inflict with impunity cruelties not far short of the worst barbarities of the rudest slave-driver of Arkansas or Mississippi; and the despotism most frequently and grossly misused is not that which is secured and defined by law, which carries with it an obvious and awful responsibility, but that which is usurped, exercised in secret, conscious of wrong, goaded by the possibility of interference, and exasperated by the fear of revolt and the remote but ever-present apprehension of punishment. The Southerner, moreover, was, in his own phrase, 'brought up with niggers'; educated to understand the character of his servants, the narrow limits of practical exaction, the possibility of vengeance, the folly and peril of driving to the frenzy of despair those who held

<sup>1</sup> He and his family were better clothed, housed, and fed.

"Family? when marriage was  
not allowed"

his home and property, his life, the honour of his wife and the safety of his children at their mercy. A man of sense and experience knew how little labour could be exacted; that sauntering, scamping, pilfering were the inevitable conditions of the institution; that the lash could hardly improve the average of negro industry. That masculine drunkenness, anger, or lust occasionally prompted frightful cruelties, that feminine jealousy, temper, and caprice kept some households in that kind of fear which has no tendency to order or discipline, needs no proof beyond the common experience of human passions and weaknesses. But that slaves as a rule fared worse than free servants, one who has carefully and candidly studied the subject will be disposed to doubt. If a pretty, pert, careless, saucy coloured girl (a class almost confined to domestic or quasi-domestic service) excited the jealousy or exasperated the temper of a mistress with whom she had probably lived from infancy, she was summarily whipped; instead of being dismissed without a character, to earn her bread by the sale of her beauty. A thieving, useless, or insubordinate field-hand, instead of being sent about his business, and put on a black list, to be driven by want from pilfering to felony, was flogged far less severely than a mutinous soldier or seaman. To such discipline the slave had been accustomed for generations and trained from infancy. Even a mulatto groom or quadroon lady's-maid, half a child by nature, and educated in the deference and submission of childhood, was no more humiliated thereby than a naughty child or refractory schoolboy.

But, if to a conscientious kindly master of attached and contented slaves slavery might seem a benefit to the negro, a relation preferable to the lax, temporary, and mercenary connection of employer and hireling, a statesman less clear-sighted, thoughtful, and sagacious than Calhoun might have been expected to observe with no little doubt and dismay its economic and social consequences. The agriculture of the South was rude, wasteful, and stationary. Labour-saving machinery, improved instruments, complicated apparatus of

.

any kind were incompatible with the exclusive employment of an ignorant, unintelligent, and childish race of indifferent if not unwilling labourers. Calhoun ascribed the lagging-behind of the South, with her richer soil and more genial climate, to a tariff which hampered her commerce and levied a heavy tribute on her industry for the benefit of a small class of Northern capitalists and artisans. The tribute was heavy, the monopoly more oppressive and injurious than it seemed ; but the free West thrived and advanced in spite of the same iniquitous exactions and fetters. It is to the abundance of fertile soil—an abundance perpetuated, no doubt, in part by the indirect effect of slavery in discouraging white immigration—not to the inherent character of slave labour, that the abandonment of fields exhausted by the constant production of cotton or tobacco should be primarily attributed. Probably, however, the command of labour contributed to this wasteful practice, for its discontinuance was one of the earliest and most striking results of emancipation.

## CHAPTER VIII.

VAN BUREN AND TYLER.

The Convention System—Financial Reaction—Election of 1841—The Whigs—  
Tyler's False Position—The Ashburton Treaty.

CALHOUN was too far in advance of his generation. The Northern classes interested in Southern industry despised the Abolitionists, and the South, while hating, did not condescend to fear them. The Northern politicians were content to use the agitation, believing in their power to check or suppress it ere it grew too dangerous, and were deaf to the prophet whose anticipations they were soon to verify. The South, he said with perfect truth, cannot yield if she would, and would not if she could. She is clearly in her right; she stands wholly on the defensive, and that upon an issue of life or death. The negroes form one-third of her population: their political enfranchisement would be her degradation and ruin, their removal impracticable, their presence as an unassimilated foreign, intrusive, inorganic substance lodged in the body politic, painful and intolerable if not lethal. Slavery, for the North a matter of choice or caprice, is for the South a necessity of existence. We cannot recede or compromise; nor can we remain within an Union from whose benefits we are excluded, bound by a Constitution of whose protection we are deprived, the mark of perpetual insult and reproach, the object of a moral crusade, a political warfare directed against our clear and guaranteed rights, our cherished institutions and inviolable liberties. This agitation is an outrage that mocks the very idea of Union; an outrage to which we will not

submit. Abolitionism must be suppressed, or—— Secession was the logical alternative, the sole intelligible inference from Calhoun's premises. But he would not speak the word, and till nearly the end of his life persisted in evading the conclusion he could not bear to draw. The policy of Whigs and Democrats alike was that of the proverbial ostrich; and, in vainly striving to exclude from Congress the dispute which raged around its doors, Calhoun condescended to imitate their folly without sharing their blindness.

The spirit of Jacksonian democracy revolted from the guidance of the Congressional caucuses, in which the statesmen and natural spokesmen of each party had till 1828-9 nominated Presidential candidates. Nominations and programmes must originate with the people. As neither ideas nor action can really so originate, the pretence of spontaneous popular impulse only transfers the real initiative, the control and organisation of party, from responsible statesmen to anonymous journalists, electioneers, and trading politicians. The control of the conventions which henceforth acted in the name of parties, the mastery of the machinery of politics, passed into the hands of men who, each in his ward, city, county or State, made a profession of electioneering organisation; and who must live by their trade.

Van Buren, Jackson's creature and successor, inherited the ruinous reaction of Jackson's finance. In less than two years the modified protective tariff had paid off the remnants of debt, and accumulated forty millions, which, after a sharp contest, were distributed among the States, nominally as deposits, really as gifts. Within twelve months a tremendous financial crash, wholesale commercial bankruptcies, a fall of fifty or seventy-five per cent. in the value of real property, and especially of public lands, had so depleted the treasury and curtailed the revenue, that the Federal Government was saved from actual insolvency only by the creation of a new debt in the form of a large issue of treasury notes. It was calculated by thoughtful statesmen and well-informed financiers that, in the years immediately preceding the collapse

fifty millions of dollars had been borrowed by the new States of the Mississippi Valley ; that two hundred millions had been invested by English capitalists in American securities—most of them anything but secure. Mississippi and Pennsylvania availed themselves of irregularities committed by their rulers to repudiate a considerable proportion of their debts. The younger State had this excuse, that the transaction was distinctly unconstitutional on the part of her Government, and apparently fraudulent on that of the original creditor, and that for the five millions she refused to pay the State had received *no* substantial equivalent.

At the close of his administration (1841) Van Buren and his Ministers were charged with having dissipated considerable accumulated funds and created a large annual deficit. The controversy was as intricate and insoluble as party disputes on finance are apt to be. Of the fact there was no doubt ; to fix the responsibility was impossible. Congress had voted the grants without regard to the Ways and Means. This was not the worst. Wholesale speculation was proved against a number of important officials. Swartwout, the collector of New York, was a defaulter to the amount of \$1,250,000. He received two-thirds of the entire customs revenue, and held in his hands the whole patronage of his department. Every officer, from the auditor to the searcher, was his nominee. The Secretary of the Treasury only pleaded that he had always remonstrated with acknowledged defaulters, and obliged them in the last resort *either* to pay up or resign ! Nor did it appear that Secretary Woodbury had been much more lax than his immediate predecessors. He had been gravely counselled to retain some of the worst of Swartwout's imitators, on the express ground that they had feathered their nests.

The fable of the fox and the flies was about to receive another illustration. The people were too thoroughly disgusted with the men in power to ask whether the Whigs were likely to prove as much more respectable as they were more hungry. The panic of 1837, renewed with yet more disastrous effect in 1839, had been placed to the debit of Van

Buren's Administration, already bankrupt in popularity. The discredited President, however, was the chosen candidate of the Democrats, whose 'machinery' was still controlled by the Jackson 'ring.' The Whig 'machine' was not one whit wiser or more honest. Clay, the popular leader and party spokesman, was too honest and too powerful to suit the electioneers. It was necessary to prove that he could not carry New York State against Van Buren; and the 'triangular correspondence' which effected this is famous in the annals of electioneering trickery. Three district managers exchanged letters, each regretting the impossibility of carrying his own district for Clay. These assurances were privately submitted by the receivers to their local colleagues—each of course suppressing his own letter; and each district gave up the common favourite in deference to the supposed wishes of the two others. The Whig Convention of 1840 met, and the wire-pullers arranged that the delegates of each State should deliberate apart, that the Convention should sit only to receive a report when a majority, not of delegates but of States, had cast their votes for the same candidate. So far as its principal function was concerned, the Convention was thus annulled. It met only to ratify a choice which the several delegations might have made without leaving their own States. The selection, accomplished by secret conferences and underhand intrigues, fell on General Harrison, the hero of the Indian war of 1811-12, and the victor of the Thames. John Tyler of Virginia, a Democrat and follower of Calhoun, was nominated for the Vice-Presidency, to conciliate those independent Democrats who had revolted from the Jacksonian despotism. Tippecanoe was the scene of Harrison's chief Indian victory, and 'Tippecanoe, and Tyler too' was the 'cry' which confessed that the Whigs had no principle to fight for. Harrison was a man of honour, of some military repute and administrative experience; but of political science he was wholly ignorant, in party politics neutral, and such opinions as he had from time to time avowed were anti-protectionist and ultra-Democratic. With such candidates, the Whigs could



put forth no programme, or, as it is called in the jargon of party politics, platform. They were committed to a Bank of the United States, to protection, and to Civil Service reform; but such a declaration of principles would have disgusted the South, and driven the Independents represented by Tyler back into the ranks of the 'regular' Democracy. One letter, signed by Harrison, set forth a vague profession of principles partly unintelligible, partly self-contradictory; and thereafter, as Mr. Lowell averred in one of his first and cleverest political squibs, a picked squad mounted guard on the candidate, deprived him of access to pencil, pens, ink and paper, plucked every fowl and shot every wild goose that came within a mile of Harrison's residence till the campaign was over.

The victory was as complete as ignominious. Martin van Buren was relegated to insignificance, and spent the rest of his life in vain attempts to recover his command of the Democratic machinery, and equally fruitless intrigues with each newly developed faction for a third Presidential nomination. President Harrison's first and only important act was to summon a special meeting of Congress in the early summer of 1841. A month after his installation he died, and Tyler succeeded for the rest of the term. The Whigs were furious at this result of their intrigues. Harrison had had time to prove himself a by no means manageable tool; but Tyler was not only, like Harrison, far from being a Whig—he was, by birth and connection, a Southern Democrat, and likely to be influenced by his old rather than his new relations. Nor was he to blame. His nomination had been the price willingly paid for the support of the anti-Jackson Democrats, and part of that price was the chance which had actually occurred. He retained Harrison's Whig Ministry, but, naturally irritated by the invectives with which the party press had greeted his unexpected succession, was soon at issue with them and with the Congress, in which the Whigs had a decided majority.

The Congressional debates of Tyler's term were full of abortive projects and personal recriminations. The President

negatived the Bank Bills and other measures of the Whig majority, and offended them yet more bitterly by using his patronage for personal rather than party ends. He was intriguing for a renomination, of which he never had the most shadowy chance. Clay's compromise had expired, and the Whigs insisted on enhanced protective duties, so obviously devised to fleece the agricultural for the selfish advantage of the trading and manufacturing interests that South Carolina again threatened nullification, but was restrained by Calhoun, who pronounced the occasion altogether insufficient to justify the employment of a remedy so extreme. The historical interest of the period centres in the foreign policy of the Administration, controlled not by Tyler but by Daniel Webster, who retained the Secretaryship of State long after his Whig colleagues had renounced the service of a President against whom the party which elected him had openly revolted.

The north-eastern border between Maine, Massachusetts, and New York on the one side, and New Brunswick and Lower Canada on the other, as defined by treaty, had never been accurately surveyed, and the maps of 1783 to which the contending Powers appealed were neither authoritative nor correct. The American claims, however, were essentially aggressive. The part of Maine interposing between New Brunswick and Lower Canada is of no political and very little material value. Most of it is even now (1886) thinly settled. The original American claim cut off Canada from New Brunswick, and deprived the former, during six or seven winter months, of all direct access to the sea. The line actually adopted is one which nothing but a defeat as crushing as that of France in 1870 would induce an European Power to accept. It interposes a strong American country between the British provinces, so close to their principal cities as practically to sever Quebec and Montreal from St. John's and Halifax, and to expose the three latter to be occupied at once by an invading army, while two of them might be sacked and destroyed, almost without notice, by a piratical banditti or a foray of irregular cavalry. Lord Palmerston, as Foreign Secretary,

had firmly resisted a demand so pointedly hostile and offensive. Lord Aberdeen, his successor, whose pacific reputation afterwards cost Europe a great war and half a million lives, which one firm sentence would have spared,<sup>1</sup> sent Lord Ashburton—by family, business, and personal relations almost as much an American as an Englishman—to conduct the negotiation. Such an answer to the arrogant demeanour of the American Minister in London was in itself a surrender at discretion. After this, nothing but a rupture and preparations for war could have induced Mr. Webster to modify the demands which a single glance at the map shows in their true character. He secured the substance of all that America demanded, and far more than she has cared to turn to account, by the merest shadow of reciprocal forbearance. But when the United States secured the oyster, Maine and Massachusetts, the States immediately affected, grudged England the empty compliment of the shell. The Federal Government, they maintained, had no right to cede territory to which the States laid claim; and their reluctant acquiescence was only obtained by a compensation voted and paid out of the Federal Treasury.

Three other important questions were practically disposed of by the Ashburton Treaty.

In 1837 a rebellion, threatening at one time to assume the proportions of civil war, had arisen out of the race disputes between the French and English inhabitants of Canada. That rebellion would have been quelled with ease and with little bloodshed but for the conduct of the American Government, which permitted not only fugitive rebels, but American sympathisers, to make the United States a base of hostile, or rather predatory, expeditions against a friendly country. One horde of banditti after another, openly recruited, paraded, armed and drilled under the eyes of the American authorities, crossed the boundary; robbed, burned, and pillaged; and when caught and routed with ease by the Canadian militia, found refuge behind the inviolable shelter of the American frontier. One gang of several hundred was captured; but only nine were

<sup>1</sup> Kinglake's *Crimean War*.

executed. The great majority were pardoned, and the rest released after trivial punishment. The President's orders to the United States forces on the frontier were directed to 'repel aggression,' not *on*, but *from*, the British provinces. The wolf's case against the lamb was never more strongly put or more humbly answered; but—short as was his tether, the watch-dog had teeth. A pirate vessel, lying on the American side of the Niagara river, was seized, fired, and sent over the falls by a small party of Canadians. During the Ashburton negotiations, a gentleman alleged to have been one of the destroyers visited New York, and was arrested by the State authorities on a charge of murder! It is needless to observe that the invaders of Canada, each of whom was, in fact and law, a robber and a murderer, were then at large in the States, and that no attempt was ever made to bring *them* to justice. Great Britain, declaring the destruction of the *Caroline* a public act of self-defence, of which she accepted the responsibility, demanded the prisoner's release. The law of the case was as clear as its equity; but New York defied and Van Buren refused to enforce it. The matter was settled by the acquittal of the prisoner, after long detention, on an *alibi*, and an apology from Lord Aberdeen for the presumption of the Canadians in exercising the right of self-defence. The right of maritime impressment was not renounced by England; but Webster's recorded and unanswered declaration that the flag of America should protect her seamen finally settled the question. Thereafter the seizure of men by either Power in the ships of the other was a recognised aggression, an acknowledged cause of war.

On one point only did Lord Ashburton maintain the claims of England; and on that point concession would have been to Webster perhaps more embarrassing than defeat. American vessels, carrying negroes between Southern ports, had been driven by stress of weather into the harbours of the Bahamas, and the slaves had escaped or been released. Ships trading between national ports, and forced to take temporary shelter in foreign harbours, are not thereby subjected to local juris-

diction. American property on board American vessels was, under such circumstances, entitled to protection. On the other hand, negro slavery was a positive creation of local law, and that law knows nothing of *foreign* slavery. A negro slave from Alabama, even before 1833, was free in Jamaica, and *vice versâ*. A man, black or white, landing in Nassau, or picked up by a colonial boat in the bay, was free, unless he were proved a slave *by the law of the colony*. After England had paid twenty millions to emancipate her own slaves, it was as monstrous to ask her to restore American fugitives to bondage as to demand that American merchant captains should voluntarily restore their English seamen to the Royal service. She neither could nor would. Calhoun had complained that this refusal amounted to a denial of the right of refuge to American vessels engaged in a lawful trade between American ports. It was true; but it was the consequence of the proximity of a free country to the route of the inter-state coasting trade. Webster pressed the case of the *Creole*, whose slave cargo had rebelled, seized the ship, and brought her into an English port. The negroes had been allowed to go free and the white crew to regain possession of the ship. If the ship were rightly restored, she was wrongfully seized, and those who seized her by force and bloodshed were pirates and murderers. The answer was obvious. The negroes had regained their liberty by force, and England could neither deprive them thereof nor punish them for asserting it.<sup>1</sup> Lord Ashburton's tone was apologetic and almost cringing. There should be no 'officious interference' (no boarding distressed ships to search for slaves?); England would pay for those who had been freed in slave colonies while she still recognised slavery; but since that date America had notice of English law and opinion, and no further reclamations could be admitted.

<sup>1</sup> A similar contradiction arose within the last thirty years, under the Extra-dition Treaties. A slave stole a horse, killed the master who tried to arrest him, and escaped to Canada. He was claimed as a thief and murderer. 'Rather than give up that man,' so the *Times* worded the unanimous answer of the nation, 'England would go to war.'

Webster promised that his Government should maintain a squadron on the African coast to repress the slave trade. But he adhered to the policy adopted by Adams, when the latter, as Secretary of State and aspirant to the Presidency, had snatched an opportunity of ingratiating himself with the Democrats and gratifying his hereditary hatred of England. By stubbornly refusing that right of search which all other maritime Powers were ready to concede—worse, by denying the undoubted *right of visit*, the right of English cruisers to ascertain that a vessel flying the Stars and Stripes was really entitled to do so—these representative Free-soilers secured to their flag, if not to their country, a virtual monopoly of that abominable traffic; and perpetuated, so far and so long as they possibly could, the misery, havoc, and barbarism, the state of continual war, the impossibility of honest commerce and civilisation, which slave-hunting for the Cuban market inflicted upon Western Africa. Safe under their flag, and under no other, every vessel engaged in that traffic hoisted the Stars and Stripes; and, thanks to these favourite sons of New England, the ‘star-spangled banner’ continued to protect the abominations of the middle passage until the North—when the Slave States were apparently lost, and the chances of the Civil War had identified the cause of the Union with that of Abolition—claimed credit for consenting to the repression of a trade which the South had already proscribed.<sup>1</sup>

<sup>1</sup> *Post*, p. 213.

## CHAPTER IX.

## INCIDENTS—1837—48.

Effect of the Gagging Resolutions—Abolitionist Petitions—Adams as a Free-soil Champion—His Posthumous Memoirs—Dorr's Rebellion—New York Anti-renters.

THE 'Gagging Resolutions' <sup>1</sup> shared the fate of all such excesses of party violence; giving scope and opportunity for the consummate skill with which Adams played his own game, the practical irony with which he forced his opponents to play it for him. They may almost be said to have made New England Abolitionist. The Abolitionists proper, in 1832 more contemned if less hated in the North than in the South, had become in 1837-8 the champions and martyrs of a cause as popular as their own was odious. It would have taken a generation, it might never have been possible, to rouse the shrewd, selfish, calculating people of New England to genuine interest in the Southern negroes; who were, if not better, certainly more kindly treated, less abhorred and despised, than their own. But they were stung into fierce resentment and angry antagonism by the idea that any petitions they chose to send up should be refused consideration at the demand of the South. From this date, though the Abolitionists and Abolition were long regarded by public opinion with the distrust which the excesses of fanaticism—schemes apparently 'beyond the scope of practical politics,' ideas which interfere with the party combinations and immediate objects of the day—excite among men of the world, they were condemned as uncompromising extremists, rejected as compromising allies,

<sup>1</sup> *Vide supra*, vol. i., p. 459.

rather than denounced as enemies of the Constitution and traitors to the Union. The demarcations of politics came to approximate more and more to geographical lines; sectional interests and antipathies became more and more the efficient motives of party conflict, and Abolitionism acquired a quasi-popularity as the uttermost extreme of Northern pretensions. Northern Whigs began to think and speak of Southern 'aggressions,' to denounce 'the extension of slavery.'

Adams drove a buggy, if not a coach-and-six, through the rules of the House. He presented petitions, multiplied a hundredfold by their formal prohibition, against one and another corollary of slavery: against its inevitable incidents 'in the District'; against the sale of slaves therein; against the corporal punishment of women: again, for the recognition of the negro Republic of Haiti, then, as now, the opprobrium of the Equalists; nay, for the dissolution of the Union—a petition which at that time, and in the hands of an ex-President, was felt by the great majority as a wanton insult. Once he threw the House into convulsions by presenting a petition from twenty-two slaves, and suppressing the fact that, if it were not a mere hoax, it purported to deprecate and not to demand emancipation. He ventured to menace the South with the direct abolition of slavery by Federal power in case of insurrection or invasion. None knew better than his father's son that, had such a thing been within the conceivable limits of Constitutional construction, the Union would never have been framed; that every Federalist in the Convention, from Washington downwards, would have denounced it as the invention of an enemy or the delusion of a lunatic. His object was not to benefit the slaves—he could not but know that he was doing the very reverse—but to exasperate the quarrel, to dissolve the Democratic party, and to indulge the personal grudges and vindictive passions which rankled in his inmost soul. The true nature of the man was revealed in his posthumous memoirs, wherein it stands recorded that he never thought well, respectfully, or generously of friend or foe. Overflowing with an egotism carried to the verge of insanity,



he seemed to himself the centre of the political universe. The clue to the Congressional history of twenty years was to be found in the conspiracy of a set of 'base and dirty tricksters'—from Randolph of Roanoke and Jackson to Calhoun, Clay, and Webster—to damage and defame John Quincy Adams<sup>2</sup>. This spiteful and unworthy work, bespattering with defamatory hints every great contemporary reputation, injured but one, and that certainly not the highest, but perhaps the most universally recognised of all. Admirers were shamed and silenced; loyal foes and generous rivals astounded and disgusted. The man whom, in the last days of his life, the whole House had arisen to welcome and honour, credited with austere greatness and stern integrity, left behind him a self-drawn character among the least estimable and dignified in American history; a revelation which cast a lurid light over a stormy, a chequered, but, as it seemed till then, an honest and far from ignoble career. Only on his own evidence would faction itself have ventured to impute meanness, spite, and cowardice to the last and not the least of the statesman-Presidents of the Union. Fortunate in all but a temper that doomed him to misery, his good fortune attended him even in death. Rising to address the House on February 21, 1848, he fell to the ground insensible, was carried into a neighbouring room, and died there a few hours later.

Two significant incidents, unconnected with Federal party politics, belong to the period of Tyler's Presidency. Rhode Island had been as a colony the purest democracy in New England, and had, perhaps for that reason, maintained longer than any of its neighbours its old colonial laws and constitution. It had gained nothing, for it had nothing to gain, by the Revolution, and reluctantly gave up something of the absolute independence enjoyed under the nominal sovereignty of the King of England by accepting the Constitution of 1789. While the Governments of the neighbouring States had become more and more democratic, their suffrage more and more

<sup>2</sup> *American Statesmen*, 'John Q. Adams,' p. 298.

nearly universal, Rhode Island still maintained the slight property qualification of colonial times. Example and theory rather than any sense of practical hardship provoked agitation against this restriction. A self-constituted convention in 1842 submitted what it presumed to call a revised State constitution, not to the citizens but to the populace at large, and averred that a majority of the latter had 'ratified' it. In pursuance of this farce a person called Dorr was 'elected' by the revolutionary faction to the office of Governor. Legally and morally, of course, he was simply a pretender without the shadow of right or authority. By force or surprise he seized the State arsenal—a manifest 'overt act' of rebellion. The authorities called out the militia; the rebels dispersed, again mustered in arms, and were again sent to the right-about without serious resistance, only a single life being lost. The Supreme Court of the Union laid it down that the legitimacy of a State Government was a question of State law, wholly beyond its jurisdiction. The legislature took upon themselves to enfranchise nearly all native adults, and called on them to elect a convention, which substituted a written constitution for the Charter of 1663, till then the fundamental law of the State. The self-styled Governor Dorr was arrested, tried for treason, and sentenced to imprisonment for life. His party, however, speedily secured a complete victory at the polls, and the rebel received his pardon.

New York, two years later, was the scene of much more serious disturbances, which are conveniently forgotten by those who claim for American democracy the credit of enforcing the law and protecting life and property as efficiently as the constitutional or despotic monarchies of Europe. A protracted attack upon the Irish immigrants in the streets of the Empire city was allowed to continue till a number of Irish dwellings and churches had been burned, fourteen people killed and forty wounded. A grosser scandal revealed the insecurity of property where the law is made and can be enforced only by the consent of those classes who covet the

property of others. Of the old Dutch patroon families, among whom vast landed estates had been distributed to be settled and cultivated by their servants or tenantry, the wealthiest and most powerful was that of Van Rensselaer, whose estates extended over the greater part of the counties of Albany and Rensselaer. Their lands were divided into farms of moderate size and leased in perpetuity for a certain quantity of wheat, a few fowls, and one day's service with waggon and horses in each year. The tenants were also liable to fines on alienation, and to certain other conditions not unlike the survivals of feudalism in English copyhold tenure. Stephen van Rensselaer had been in possession from 1780 to 1840. He had allowed a great part of his rents and fines to fall into arrear; and these arrears, to the amount of two hundred thousand dollars, were bequeathed by his will. The tenants not unnaturally considered these claims barred by lapse of time, and resented the revival of debts they had almost forgotten. The Courts decided in favour of the landlord; but the execution of their decrees was at first passively and at last forcibly resisted. In 1844 anti-rent riots of a violent character broke out in Rensselaer and Columbia counties. The rioters scoured the country in arms, extorting a pledge from the law-abiding tenants to support their cause, and tarred and feathered or otherwise outraged the recusants. In Delaware County the Deputy-Sheriff was murdered in the execution of his duty; and it was not till August 1846 that the State Government restored order, proclaimed the county of Delaware in a state of insurrection, and had the ringleaders brought to trial and condemned to death. But the agitation continued in a more pacific form, and the tenants at last obtained from a partial and dependent Court a decision in their favour. In the end the great landowners were deprived by naked force and legal chicanery of great part of their undoubted rights, and this evidence of the insecurity of such property has tended ever since to discourage the investment of wealth in real estates too large to be cultivated by their owner. It has not prevented the accumulation of land in the hands of individuals

or companies, many of whom own estates larger than those of the wealthiest English families ; but these estates are cultivated, not by independent tenants, but by hired labourers.<sup>3</sup>

<sup>3</sup> There are a great number of rented farms in some of the States, but they are, I believe, like those of Flanders, held by small proprietors—families which can no longer cultivate them, mortgagees, &c., and let because it was not convenient to sell them—not parts of large estates.



## BOOK V.

### *DISUNION.*

---

#### CHAPTER I.

##### THE REVOLT OF TEXAS.

Settlement of Texas—Mexican Revolutions—Santa Anna—Texan Rebellion—  
Mexican Barbarity—San Jacinto.

THE formal dominion of Mexico, as defined by the Spanish Frontier Treaty, extended along the Pacific coast as far as 42° N.L., including that comparatively narrow strip between the Rocky Mountains and the sea which now forms the State of California—blessed with the richest soil, the most varied resources, and the most genial climate within the Union—and the vast area between the western boundary of the Riverine States and the Rocky Mountains, apparently doomed by its geographical conformation, climate, and drainage<sup>1</sup> to remain as then, a desert with a few pastoral oases. The greedy successors of Cortez and Pizarro had trodden with careless feet the golden sands of California, and left unexplored and unopened the silver-mines of Colorado and Nevada. A few *rancheros* occupied immense tracts of unimproved land, feeding thousands of cattle; but no plough had ever touched wheat-fields even more valuable than those of Illinois and Indiana. The independent Government of Mexico, scandalised

<sup>1</sup> The Colorado and its tributaries run, for a great part of their course, in deep, narrow clefts or cañons 1,000 feet below the surface, rendering irrigation impossible.

that two-thirds of its dominion should remain a waste, inhabited only by a few predatory bands of savages, offered liberal inducements to settlers from abroad. But the adventurous spirit of former generations had wholly died out in Spain and Portugal. The great European immigration had not yet begun. None but the restless and enterprising citizens of the Southern and Western States responded to the liberal invitations of Mexico, and in 1835 the greater part of the scanty population of Texas was of North-American birth and English speech. The settlers yielded no practical obedience, owned no willing allegiance to the authorities set up by successive revolutions, and after various ineffective movements, which those authorities prudently or contemptuously disregarded, formally declared their independence.

Mexico, like all the Spanish Republics, had been induced, under the impulse of revolutionary enthusiasm and necessity, to promise and take decisive steps towards the emancipation of the negro, Indian, and half-caste slaves or serfs. The pressure of popular feeling within, strengthened by the gathered force of public opinion throughout the world, precipitated the total abolition of slavery. To this, as to previous laws on the same subject, the slave-owning settlers paid no regard whatever ; but it contributed not a little to their growing determination to shake off the almost nominal authority of the Mexican Government. Under the Federal system, borrowed by Mexico and Central America from the United States, the Texans had enjoyed substantial self-government, unvexed by that corrupt or simply perverse official interference which Anglo-Americans could ill endure at Mexican hands. But one of the innumerable revolutions of that anarchical country overthrew for a time an organisation altogether artificial, without root in the history or justification in the circumstances of Mexico. The establishment of a strong centralised government threatened the cherished liberties and contributed to precipitate the revolt of the Anglo-American colony. Santa Anna, the ablest and perhaps the only able statesman and soldier that Mexico has yet produced, exerted himself vigorously to put down a revolt

which, if successful, threatened to sever from the empire of which he was just now the absolute chief the larger part of its territory; since, if Texas secured her independence, Sonora and Chihuahua were likely, and California and the rest of the northern provinces all but certain, to follow. But though drill and discipline can make of the Spanish-American half-castes by no means contemptible soldiers—brave, obedient and stubborn—and though, except that of the pure-bred Spanish aristocracy of Chili, the Mexican army of that time was perhaps the best they have produced, that strange inexplicable superiority of race which gives irresistible ascendancy in war had given to the rude, untrained, lawless Anglo-Saxon adventurers of Texas a conscious mastery, like that which assured Clive and Hastings that no numerical advantage could make the warrior-nations of Hindostan—Mahrattas, Rajpoots, or Mysoreans—a match for sepoys led by English officers and backed by a few English soldiers.

At San Jacinto, on April 21, 1836, the Texan army, under General Houston, recruited by a number of sympathisers from Louisiana, Arkansas, and Mississippi, routed the greatly superior forces of Santa Anna and took the commander-in-chief prisoner. He was presently released on signing a treaty, which, as soon as he returned to the capital, he repudiated as extorted by compulsion.

The Mexican commander-in-chief behaved with that true Spanish ferocity which, in the civil wars of the Peninsula and of South America, revolted the civilised world by wholesale massacres of defenceless captives. In one of the first engagements in Texas five hundred insurgents were taken and shot in cold blood. In another instance, the Mexicans hoisted the black flag over a town attacked by the Texans. But the lawless adventurers of the South-West could not be provoked to refuse quarter to a white enemy, and accepted the surrender of those who had threatened them with massacre. Another position, known to Americans as the Alamo, was held by Colonel Travis with 450 Texans. It was besieged by Santa Anna on February 24, 1837. By the end of the first week in



March the garrison, reduced to one-third of its original number, offered to capitulate. Terms were refused. The defenders endeavoured to cut their way out through tenfold numbers. This last effort of heroic despair failed, and Colonel Travis and his men were put to the sword. When the Mexicans entered, only six men and one woman were found alive. These butcheries aroused keen sympathy and passionate indignation throughout the States. A considerable party, especially in the North, had condemned the insurrection as unprovoked and ungrateful, regarded with sympathy the determination of Mexico to reassert her undoubtedly legal claim, and deprecated all interference, national or individual, in a quarrel whose right was clearly with the latter. But even these were alienated and exasperated by the cold-blooded slaughter of their countrymen. Many families throughout the South had friends and kinsmen among the victims, and could hardly have endured to see their compatriots conquered and exterminated by such an enemy.

In 1837 the insurrectionary Government was formally recognised by the United States. The Republic of Texas maintained its independence for the next eight years, rather against its will. Mexico had failed, and would probably always fail, to conquer her lost province; but nothing save the irresistible intervention of the United States would induce her Spanish pride to acknowledge its independence or leave it in peace. Texas had neither the physical, the political, nor the material strength to stand alone. Annexation, not independence, was from the first the aim of her ablest leaders, of the great majority of the *bonâ fide* settlers, and of the whole of that body of adventurers to whose co-operation her temporary success was mainly due.

## CHAPTER II.

## SECTIONAL CONFLICT. TEXAS AND OREGON.

Balance of Power—Oregon Boundary Question— American Treatment of Mexico—Southern Interests.

UNDER the Presidency of Van Buren and of Tyler (1837–45) the question of annexation was constantly agitated in Congress and throughout the country, and assumed greater and greater prominence in the political field. The Whigs of the North, and especially of New England, were, from jealousy, interest, and principle, opposed to a step which threatened to strengthen the Democrats and to turn the Senatorial balance in favour of the South. The Democrats had to the last a strong, and sometimes predominant, influence in some Western and middle States. The Whigs retained, to the close of their existence as a party, a very powerful Southern following. The North was never united on sectional, much less on party issues; down to 1856, both the contending parties claimed a national character. But, except in Presidential elections, when the consideration of ‘the spoils’ predominated, sectional interests and antipathies tended more and more to override the nominal ties of party.

State sovereignty, slavery, the recognition and protection of their property in the territories and in the national capital, the admission of new Slave States, the right of territorial expansion, were to the South matters of life and death. Within the Union—and none were yet prepared for secession—the sole security of the South, the sole bulwark against the ever-increasing preponderance of Northern wealth and population, in the House and in the election of the Executive, lay in maintaining the balance of power in the Senate; and

Adams, snatching at some wild talk on both sides about the possible division of Texas into four separate States, fiercely accused the South of conspiring to seize and maintain for years to come an artificial preponderance. In itself, could it have been based upon any tenable and constitutional ground, could it have been acquired by the natural creation of new Slave States of adequate size and population, Southern preponderance in the Senate, counteracting the overwhelming Northern majority in the House, would have been the best security of the Union. It would have allayed the alarms which exasperated the temper of the one section and reacted to irritate and alienate the other. But at least a generation, probably two or three, must elapse before the division of Texas could come into question ; and Adams was well aware that Florida and Texas could hardly gain a single march upon Iowa and Wisconsin, while an indefinite number of Northern States must be ultimately formed out of the extensive region between the Mexican and English frontiers, the Missouri and the Pacific.

This territory was, when the independence of Texas was recognised, imperfectly defined. The frontier of British America from Lake Superior to the Pacific had been left unsettled at the close of the War of Independence. It could not well have been otherwise. The country was unknown, unexplored, inhabited only by vast herds of buffaloes and a few Indian tribes who lived upon them. The country between the Mississippi Valley and the Rocky Mountains had not been penetrated even by hunters and trappers, when Missouri at last acquired the rank of a State. Twenty years later they had but explored its verge, repelled by the waterless, treeless, hopeless expanse of the great Alkali Desert, glittering with salt, distressing alike to eyes and nostrils.

The whole American territory of Great Britain, a narrow border along the Lakes and the St. Lawrence excepted, was in the hands of the Hudson's Bay Company, which possessed a monopoly of the Indian trade. Here and there, at vast distances, were posts to which the Aboriginal hunters brought

their valuable furs, and were supplied in exchange with rations, traps, clothing, firearms, and ammunition. But the immense wilderness between Lake Superior and the Rocky Mountains was unknown even to the agents of this great and enterprising body. On the coast of the Pacific, and especially on the Columbia River, it had established some posts where the few products of civilisation invaluable to the intelligent savages were exchanged for buffalo robes. The Company's monopoly, judiciously managed, had secured to the natives all the benefits, with few or none of the evils, of that intercourse with Europeans which has generally been the bane, and often the destruction, of excitable, quarrelsome, and intemperate barbarians—had been a civilising and improving influence. American enterprise was not likely to leave so lucrative a monopoly untouched. Yankee traders, and especially Jacob Astor, had established themselves at the mouth of the Columbia. The rival claims had been taken up by the several Governments; and a compromise had been arrived at, under which the indefinite coast of Oregon, between the Spanish and the Russian frontiers, had been jointly occupied on behalf of England and the United States. Out of that joint occupation petty disputes had arisen, and the restless and aggressive spirit of the American people had led them to put forward pretensions so extravagant that they would have excluded Great Britain from the Pacific and brought the claims of the United States into direct collision with those of Russia.

That England had a right, the best that any of the three disputants could show, to a large part of the contested region, no impartial jurist would deny. But the cry 'fifty-four forty,'<sup>1</sup> or fight' in the winter of 1845-6 threatened to sweep the Union and oblige the Government to sustain untenable pretensions by an unjustifiable war. That England could submit to such a pretension no American who knew the history of her title and looked at the map ever imagined. The diplomatic position of America was clearly bad, and the military position was exactly the opposite of that which American vaunts and English self-

<sup>1</sup> The boundary of 54° 40' N. L.

depreciation now take for granted. The disputed country was equally inaccessible from Illinois or Missouri and from Upper Canada. Its immediate possession must be won and held from the sea ; and England was better able to defend Canada against the vastly superior land forces of the States than the States to wrest a strip of the Pacific coast from the first of maritime Powers. The commerce of England might have suffered severely from American privateers ; that of America would have been simply annihilated by the British navy ; and a war in which both parties must have suffered more than either could gain, for an object which the aggressor could neither win nor keep, would have been an act of national insanity. The frontier of 49° N.L., which gave to America the largest part of the disputed territory, with its one great river, had been suggested by American and accepted by English diplomatists ; but the latter insisted on the free navigation of the Columbia, and on this point the negotiations were broken off. Congress actually called upon the President to terminate the joint occupation, but the Executive Government naturally shrank from a step which meant war—and which must compel England to take possession of the whole disputable territory ; in which case only a triumph as decisive as that of 1782 could wrest from her a single foot of the Pacific coast.

England had offered all to which America had even a plausible claim. The statesmen of the South, firmly maintaining the utmost to which America could honestly pretend, refused to join in an insensate and insincere appeal to the worst passions of the populace. The Government speedily repented the bluster, which had only been intended to frighten the weak and timid Foreign Secretary who had proved so pliable in the case of the North-Eastern frontier. England once more offered the forty-ninth parallel, with the right of the navigation of the Columbia from its mouth, a few degrees further south. The offer was accepted, and the forty-ninth parallel from the Pacific to Lake Superior became the northern boundary of the United States.

Webster retained his office as long as the acceptance of

the Ashburton Treaty was in doubt. That momentous object once secured, he retired from the Cabinet, which had already been broken up by the resignation of all his Whig colleagues. The quarrel between the party and the President of its chance rather than its choice had long before been openly declared, and waged with irreconcilable bitterness. The Whigs had called on the Secretary of State to resign, but his former constituents of Massachusetts approved his reasoning and acquiesced in his determination to complete the diplomatic business he had undertaken.

His retirement finally threw the President into the arms of his old Democratic and Southern friends. Throughout the intestine contests of eight years, under Van Buren and Tyler, the acquisition of Texas had been kept steadily in view. Webster and his colleagues had held the President in check, but, no less than Tyler and Van Buren, had thrown over the infant Republic the shield of the United States, had threatened direct interposition if Mexico should endeavour forcibly to recover her lost dominion, and had treated her feeble and divided Government with diplomatic rudeness and downright violence, such as even the United States had never used to equal Powers, such as European States of the second rank, like Spain or Holland, could hardly have endured with self-respect. Van Buren's tone, if not deliberately calculated, was obviously likely to drive Mexico to the last wholly hopeless appeal. Well as her rulers knew that war, instead of regaining Texas, might cost her the rest of her Northern provinces, the Spanish pride of the nation would have risked national existence rather than submit to national dishonour. Her Ministers met the imperious demands preferred, in terms studiously offensive, by the American representative with signal dignity, temper, and skill. The United States insisted on the satisfaction of their demands upon the instant, allowing at first but a fortnight for the investigation; though the list included a long string of unconnected claims for damages on account of injury suffered and property destroyed in the course of military operations, amounting to *eleven million* dollars—an amount reduced on enquiry by *seven-eighths*. The Mexican Government protested

in calm and reasonable language, and appealed to arbitration. The American case was so bad, the tone of Mexico so moderate, and her proposals so obviously reasonable, that Van Buren, though he might have forced on a collision, could not have made out a plausible case for Congress, much less such a pretext for instant resort to arms as would have silenced the indignant remonstrances of Christendom. The American claims hung on unsettled for years, and the threatened declaration of war was not so much averted as indefinitely postponed.

The question of annexation was, of course, complicated with, if not dependent upon, that of slavery. The South-Western States alleged, with reason, that the presence on their frontier of a free State sure to be also unfriendly, offering an easy and accessible refuge to fugitive slaves, would be an intolerable menace to the peace and industrial order of Louisiana and Arkansas. This inconvenience had begun to be felt on the Northern side by the Border States—Missouri, Kentucky, Maryland, and Delaware. But in the two latter there were few or no great plantations; no gangs of slaves brought from a distance, personally unknown to their masters, without feeling of hereditary attachment, forced to a harder and less healthy labour than that to which their youth had been accustomed, or left to the care of overseers chiefly anxious to obtain the best crop that could be extorted from slave labour. The slaves of Maryland and Delaware were chiefly domestic servants and farm labourers, employed in small numbers under the master's eye. Kentucky and Missouri were protected from the neighbouring Free States by great and not easily passable rivers. The country on both banks was settled and tolerably if not densely peopled, and a fugitive was likely to be seen, easily followed up, and generally caught. From the scattered sugar plantations of Louisiana, the half-cleared cotton-fields amid the forests and swamps of Arkansas, a slave might easily escape, hide himself in the woods, and make his way across the Sabine. The obvious, immediate, and pressing interest of the Slave States forbade them to permit the re-

establishment of the hostile Mexican Power ; and equally forbade the prolongation of the present state of insecurity and uncertainty, which was tending to the disappearance of slavery in Texas itself.

The Free-soilers on their side made the most of the domestic record of Mexico, the illegality of Texan slavery, the abomination and injustice of planting the 'peculiar institution' in a country once devoted to freedom. This theme was better suited to declamation than to argument ; for the vast northern region over which Mexican pretensions extended was no more devoted to freedom than Australia before the English occupation. The few scattered settlements on its maritime prairies and fertile oases were little affected for good or evil by the paper decrees of the Central Government.



## CHAPTER III.

## ANNEXATION.

The Election of 1844—The Session—Consequent Annexation of Texas.

TOWARDS the close of Tyler's Administration, it became evident that the party in power was determined to wait no longer. In March 1844 a meddling intriguer, without the President's knowledge, offered the Secretaryship of State, vacant by the accidental death of its last occupant, to Calhoun. Calhoun accepted the place, avowedly for the sole purpose of bringing the Texan business to a conclusion. Tyler, informed of the offer and its acceptance, dared not offend Calhoun and alienate the only party for whose cordial support he could possibly hope. He pocketed the affront and allowed the first place in his Cabinet, the control of his foreign policy, to be conferred by a wholly unauthorised intrigue. Of re-election, the reward of which he had ventured to dream, for which he had laboured and endured so much, he was, as a matter of course, disappointed. By the Whigs, as a traitor to the party which had brought him into power, he was more detested than any Democrat. The Democrats, if they forgave his temporary desertion, had never thought his services worthy of such an acknowledgment. No local influence, no party connections, compensated his personal insignificance. The last person whose right to a renomination would be acknowledged was he who had reached the Presidential chair by a subordinate intrigue and a personal accident.

It was rather by chance—by the signal failure of Van Buren, the death of Harrison, and the weakness of his suc-

cessor's position—than by an active or even conscious change in public feeling, that the tradition of an eight years' Presidency was broken. Of Van Buren's predecessors, the elder and the younger Adams alone—the one for mixed personal and party reasons, the other from the absence of party support and the popular ascendancy of his vindictive rival—had been discarded at the end of their first term. Jackson held power for eight years, almost as a matter of course; and even Van Buren received the nomination of his party for a second term. But the interest of 'the machine,' the organisers and wire-pullers of faction, was opposed to a principle which gave the President a position so independent, an authority so substantial and so personal; and after 1845 the single term became a rule as general as the double term had been down to 1837. Since then, only two Presidents, Mr. Lincoln and General Grant, have been re-elected, as till then only two had been rejected, at the end of the first four years.

Mr. Clay received from the Whig convention of 1844 the nomination of which four years before he had been deprived by the manœuvres of the professional politicians—the last instance in which the natural leader of a party has been chosen as its candidate, as Adams was the last statesman of the first rank who actually filled the chair. Calhoun knowingly sacrificed his chances by his rupture with Jackson. Webster's career failed in grandeur and ended in eclipse and mortification, because it was throughout the career of a Presidential aspirant. Since his death, lack of political eminence—in American political slang, the want of a record—has become the primary and almost indispensable qualification of candidates for the chair of Adams and Jefferson. The Democratic convention of 1844 illustrated and helped to establish the rule that a proposed President must be a distinguished soldier or an undistinguished politician. It soon became evident that none of the candidates designated by public opinion could command a majority. The anticipation of a particular candidature sufficed then, as has commonly happened since, to prepare its defeat; leading to the formation of a cabal

resolved to reject 'the favourite.' Each 'group' or fraction, if it cannot carry its own man, is determined to exclude his rivals; the more eminent the individual, the less willing are other aspirants to give him so great an advantage, and the smaller the chance of a favourable combination. His mortified adherents, in their turn, put a veto on each of the candidates whose friends have united to defeat him; and thus one by one the names that were prominent in the first ballots successively disappear. Then a little group of intriguers, personally acquainted with him, or confident of their power to manage or make terms with him, bring forward some distinguished soldier without political knowledge, antecedents, or connections; or the name of some respectable but obscure politician is suddenly sprung, at a suitable moment, on the wearied and jaded convention. All the factions, content to defeat their opponents, unite on a choice that excites no jealousy, a record blank alike of offence and merit, and the people receive with equal surprise and complacency the order to vote for a man of whom few or none have ever thought, of whom the great majority hardly remember to have heard.

Such in 1844 was the position of James K. Polk of Tennessee, a respectable citizen and determined annexationist, a man of no great personal ability and still less political influence, but a thoroughgoing partisan upon whom Democratic politicians—and especially those Southern statesmen, who from the days of Jackson to those of Buchanan were always the intellectual flower of the party—could confidently rely. In November 1844 the great Whig statesman, weakened by the divisions and disorganisation of his party, was decisively beaten at the polls by the unknown champion of the Democracy. Massachusetts went so far as to declare through her legislature, in the teeth of the Louisiana precedent, that Congress had no power to admit a foreign State or foreign Territory, and that such admission *was not binding on herself*—a disclaimer to which nothing short of secession could have given effect, and which was therefore a threat of secession or an empty and absurd protest. But for such a threat the time and

occasion were ill-chosen. Had the question been one of merely domestic interest, the Free-soilers<sup>1</sup> would probably have been victorious. In the case of Missouri, Northern sectionalism had prevailed over constitutional principle and obvious equity. Since 1830, and especially during the last ten years, anti-slavery feeling and sectional animosity had been steadily gaining ground. But in the case of Texas, national pride and international jealousy were enlisted. The cause of the South was that of the Union; the anti-slavery was the anti-patriotic party. The failure and intestine divisions of the Whigs had greatly strengthened the Democrats, and a rumour of intended English interference clenched the matter. England had offered to mediate between Mexico and Texas. The Texan Government, mortified and alarmed by the hesitation and reluctance with which their offers had been received in the United States, had drawn closer to England, and were looking for English capital and for a loan which might restore their ruined finances—finances so utterly disordered by the expenditure of the intermittent war with Mexico that at one time the Government could not pay for its stationery. It was believed—and Lord Aberdeen's cautious and qualified explanation strengthened and perhaps justified the belief—that emancipation would be the price of English support; a price which Texas was not wholly unwilling to pay. The South took the alarm, and appealed successfully to the jealous vigilance of America. The intemperate fervour of Free-soil speakers like Adams, however well adapted to inflame the passions and harden the obstinacy of sectional antagonism, was calculated rather to irritate than to check the impulse of national pride and ambition, and contributed to their signal defeat in the Presidential election.

After such evidence of the popular disposition, the collapse of the Congressional Opposition was a matter of course. A

<sup>1</sup> Anti-slavery men who were too cautious to adopt the name or cry of the Abolitionists, who went with the latter as fast and as far as popular favour was inclining to go. The name came into general use at a somewhat later period. Technically, it designated those who declared themselves hostile to the extension of slavery and the admission of new Slave States, but disclaimed Abolitionism.

treaty of annexation had been signed by Calhoun on April 12, 1844. It was rejected by the Senate; and Santa Anna, President and Dictator of Mexico, forthwith prepared to assert the claims of his Government by force of arms. Calhoun had declared that the invasion of Texas 'while the treaty was pending' would force the United States to interfere. Mexico on her part had announced that the ratification of the treaty would be considered as a declaration of war. The treaty was formally disposed of after its rejection by the Senate, but Calhoun denied the right of Mexico to take cognisance of the intestine disputes of the different branches of the American Government, and acted on the practical fact that the business was still open if not 'pending.' Constitutionally, neither the President nor the Secretary of State had any right to persevere with a measure upon which a coequal constitutional authority had put its veto, or so to pledge the national faith that in the last resort it could only be redeemed by war. But with the Constitution of the United States foreign Powers had no concern; nor could Mexico well deny the right of her too powerful neighbour to interfere by force in a question which so deeply concerned her interests. Scarcely fourteen years had elapsed since France had interposed to protect Belgium, a few months after that country had revolted from Holland, and declared an independence which it had utterly failed to maintain. The American case was very much better than that which Europe had permitted France to maintain by force in defiance of an European settlement barely sixteen years old. Texas had now been practically independent for seven years, had been recognised by the United States and by other foreign Powers. The Government at Washington was not interfering in the internal quarrels of Mexico, but intervening, though in an unfriendly manner, to maintain an international *status quo* in the immediate vicinity of her own frontier.

The Democratic Administration assumed, not unreasonably, that the election of Mr. Polk by a decisive majority over a far more distinguished opponent was to be construed as a popular endorsement of their course, a virtual

*plebiscite* in favour of annexation. To so decided a manifestation of public opinion the Congressional Opposition had no answer to make. The majority stood out on some minor points. They insisted, for no very obvious or important reasons, that Texas should be annexed by treaty, as with a foreign Power, and not incorporated as a State of the Union in the usual form, by a joint resolution of both Houses. But on an alleged understanding that the latter method should only be employed if the former proved impracticable or inconvenient, the necessary resolutions were passed through the Senate and the House of Representatives, and received by Mr. Tyler late on March 3, 1845, the last day of his Presidency. Mr. Polk, ignoring all secret transactions, authorised or unauthorised, real or imaginary, proceeded to act upon the resolutions. On June 23, 1845, Texas accepted the proffered admission, and took her long-desired place as the twenty-eighth State and fifteenth Slave State<sup>2</sup> of the Union. The thinly peopled territory of Florida had just before been organised and admitted as a State, with a constitution authorising slavery; and the admission of Texas gave the South for the next three years a clear majority in the Senate.

In 1840, the population of Texas appears to have consisted of some fifty-four thousand whites, chiefly Anglo-Americans, and about twelve thousand negro slaves. These were almost entirely confined to the seaboard region, which alone was partially settled and cultivated. Over the interior roamed a variety of Indian tribes, whose number, variously estimated, may perhaps have exceeded that of the civilised inhabitants of the State—Comanches, Apaches, Kickapoos, and broken fragments of the Creeks, Cherokees, and other exiled tribes expelled from the States east of the Mississippi, owing no allegiance to either the Mexican or American Government; fierce, warlike, and predatory, prone to plunder Mexican *ranches* and Texan farms with perfect impartiality.

<sup>2</sup> Slavery still lingered, under laws directed to effect a gradual emancipation in several Northern States, which nevertheless ranked themselves and were counted among the Free States.

On receiving information of the action of Congress, providing for the annexation of Texas, the Mexican Government suspended communication with the American envoy. It had previously offered to recognise the independence of Texas on condition that that Republic should never be annexed to the dominions of any foreign Power. Before this offer was finally disposed of by the resolution which constituted Texas a member of the Union, a revolution of more than ordinary significance had taken place in Mexico. Santa Anna was deposed and imprisoned in December 1844, and shortly afterwards banished. Twelve months later a second revolution overturned his successor Herrera, and placed the 'Monarchist' Paredes in power. The boundaries of Texas were altogether unsettled, and, both by constitutional inference and by express stipulation, the question of frontier was one to be adjusted between the Governments of the United States and Mexico. The *de facto* Southern border of Texas was the river Nueces; the *de facto* Northern frontier of Mexico in that quarter, the Rio Grande. The country between the two rivers was almost uninhabited. The few *ranches* scattered on the left bank of the Rio Grande belonged to Mexican owners; but Texas had always claimed that river as its boundary, and its claim was upheld as a matter of course by the Federal Government.

## CHAPTER IV.

## THE MEXICAN WAR.

Constitutional Issue—The Whig Policy—War Commenced and Declared—Palo Alto, Resaca de las Palmas, Monterey—Armistice—California—Offensive or Defensive?—Buena Vista—Vera Cruz—Occupation of the Capital—Peace.

THE annexation of Texas was an open challenge to the punctilious Spanish pride of Mexico. The honour of the nation was directly touched. However unequal the contest, the glove thus thrown in her face must be taken up. Nor were her people fully aware of the utter hopelessness of their cause. Adams himself had not scrupled to speak of the numerically superior regular army of Mexico, the certain defeat of the Texans, the possible if not probable invasion of Louisiana and Arkansas by the victorious Mexicans. Such outrageous extravagance only showed that in the bitterness of party and sectional hatred, under the sting of impending defeat, the Northern champion had lost his head. So direct an insult to the common sense, so wild a challenge to the public spirit of his countrymen, coming from an ex-President of the United States, could only operate to render war a point of patriotic pride, to annihilate his own influence, and afford the less resolute and passionate advocates of peace an excuse for abandoning a lost cause. It may not have contributed to encourage Mexico in a determination only too congenial to the wounded pride of an excitable and sensitive people, but it must have tended to silence the misgivings of responsible statesmen and practical soldiers.

Polk was determined on war, and omitted nothing that could help to force on Mexico the alternative of glaring national humiliation or a desperate conflict with the overwhelm-



ing power of the United States. There could be little doubt of her choice. Jackson had twice attempted to purchase the long-disputed territory between the Sabine and the Rio Grande, and his offers had been not merely refused but resented. The American army, under General Zachary Taylor, was pushed forward on to ground distinctly claimed by Mexico and never actually held by Texas. President Polk was sharply and justly arraigned on the charge that, in commencing hostilities with Mexico, he had anticipated if not usurped the functions of Congress. The Constitution expressly reserved for that body the question of peace or war. Only in case of absolute necessity, in actual self-defence, was the Executive absolved by the imperative logic of facts rather than the mere language of the Constitution from the obligation to await the decision of the Legislature. In no other case was he entitled to place Congress under duress; to present to it the alternative, not of engaging in hostilities, but of withdrawing from hostilities in which the honour of the flag, the safety of the army, the interests of the nation might be already deeply involved. Polk and his Cabinet, in which James Buchanan was Secretary of State, and Marcy of New York Secretary for War, had a technical answer to this accusation. They claimed the frontier of the Rio Grande, and claimed, therefore, that they had acted on the defensive.

By which party the first shot was fired, by which war was technically commenced, was of no practical moment. It was notorious that by ordering the army to stand fast upon the Nueces the President would have covered the most advanced Texan settlements and avoided that collision which, when the two armies were once brought face to face, was certain to occur. But the Opposition were placed at a logical disadvantage, and showed but little skill in argument, and almost as little regard for principle, in the conduct of their case. They allowed themselves to be impaled on the horns of an argumentative dilemma. If war had not been commenced, the constitutional charge against the President was untenable; if war existed, then (the majority maintained) there was no

choice but to prosecute it to a decisive issue. Had the Northern spokesmen been sound, well-informed, and lucid jurists, they might have extricated the Whigs without difficulty from this technical alternative. Hostilities do not necessarily involve war. War is not legally made till it is declared, or till the formal action of the belligerent Governments has superseded the necessity of a declaration. History furnishes many signal instances in which the outbreak of hostilities has long preceded the declaration of war, and even the suspension of diplomatic relations.<sup>1</sup> In some cases, after hostilities have begun and have been continued for some time, war has been averted by mutual concessions and apologies or by a reference to arbitration. This subtle distinction would no-wise have excused the President in commencing unnecessary hostilities, while it would have secured to Congress the right and power to pronounce against war, to offer an armistice, and to settle the dispute by negotiation or arbitration. But the Whigs preferred political to moral considerations, the interests of their party to those of humanity. To oppose to the uttermost a gratuitous, wanton, and wicked war (as they considered it), but a war already thoroughly popular, was an honourable and conscientious but an eminently unprofitable and perilous course. To accept the necessity and permit the prosecution of the war, while throwing the whole responsibility on the President and denouncing his unconstitutional usurpation, was a safer and less unpopular if a far less high-minded and righteous policy; and such was the policy of the Whig party.

On April 4, 1846, the Mexican general, Arista, was ordered to cross the Rio Grande. Two American advanced parties were defeated and several prisoners taken. Hostile operations actually commenced on April 25. On May 13 Congress, at the instance of the President, declared war on Mexico. The position of General Taylor was eminently perilous. The total forces of the Mexican Republic were imperfectly known even

<sup>1</sup> *E.g.*, the war commenced by Washington and Braddock, and waged for months, while England and France were formally at peace. *Supra*, i. p. 104.

to their own Government, but their number was probably not less than twenty-five nor more than thirty thousand. The whole regular army of the States consisted of two regiments of dragoons or light cavalry, four of artillery, and eight of infantry—at most 7,000 or 8,000 men. The number of each company had been cut down by economical reductions to forty-two rank and file. The officers, since 1812, had received a thorough professional education in a four-years' course at the Military Academy of West Point, upon the Hudson, and were perhaps, in theoretical knowledge of their profession and such practical competence as could be acquired in the camp, in Indian warfare and on frontier duty, the best-trained body of officers in the world. Unfortunately, the absence of a retired list had filled the higher ranks with superannuated and incapable veterans. Most of the Generals and field officers were worn out. The real duty had long been done by juniors, with or without brevet rank. General Taylor had with him fewer than thirty-six hundred men, with an admirable staff of scientific and combatant officers. He had called for five thousand volunteers from the neighbouring States; but as the existing law only permitted their enlistment for three months, he had naturally postponed the summons till the last possible moment, and had in his first operations to rely exclusively on his small regular force. Indeed the three-months' volunteers were never brought into the field. Congress authorised the President to call for fifty thousand volunteers for twelve months or for the war, and the ranks were speedily filled by men accustomed to an outdoor life and to the use of firearms, and in the Southern States, which furnished two-thirds of the whole, admirable horsemen. Unfortunately their regimental officers were elected; so that only the higher commands, the staff appointments, and those in regular regiments were filled by the highly-trained pupils of West Point, and the discipline of the volunteers was at first scarcely better than that of Washington's early levies.

The Mexicans were easily driven across the Rio Grande and out of Matamoras; and before war had been declared

Taylor was already established on undisputed Mexican ground, relying for his supplies almost exclusively on his maritime communications with New Orleans. The Mexican army had been kept up to a high standard of numbers and a very tolerable level of discipline and efficiency by the political ambition of which, after the traditional Spanish fashion, it was made the instrument. Revolutions were effected and repressed by the military alone. The men were brave, steady, and obedient; the higher officers were habitually insubordinate, and those of lower rank much inferior in quality and training to their American antagonists. The cavalry was far superior even to the American regulars, who were but dragoons in the original sense of the word—accustomed to dismount and use the rifle, but unpractised with the sword and lance. Except the Texan volunteers, Taylor had no light cavalry comparable to the Mexican lancers. His artillery was far superior both in material and *personnel*, and so disproportionate in number to his strength and his needs that more than one battalion of artillerymen were practically employed as infantry.

The first battle of the war was fought at Palo Alto on May 8. Had the Mexicans been well commanded, numbers and superiority in cavalry would probably have given them the victory. But the infantry were kept massed in the rear of their guns under the overwhelming American artillery fire; and when their General at last discerned his error and endeavoured to bring them to close quarters, their heavy losses and the sense of being ill-handled and sacrificed had disheartened though not demoralised them. The infantry behaved well, the cavalry still better, but their *élan* was lost; and after a stubborn conflict, maintained till dark, the army fell back upon Resaca de las Palmas (Vale of Palms). Taylor followed them up the next day, and, after several hours' hard fighting, completely defeated a force greatly superior in numbers and, save for its officers and artillery, not far inferior in quality to his own.

This defeat broke the confidence if not the spirit or determination of the Mexicans. For many months the military

operations in this quarter languished. On the one hand, the Mexican army was discouraged, the people exasperated, the Government tottering and undecided. The feeling both of the nation and of the soldiery demanded the recall of Santa Anna, the one Mexican soldier and statesman of high proven capacity; and in the autumn he was once more installed in power. On his part Taylor had no temptation to advance. He wanted reinforcements, and the volunteers who flocked to his camp wanted discipline, organisation, and practical training. It was dangerous to advance into a barren, thinly inhabited, and roadless country till stores of ammunition, forage, and food should be accumulated and a secure base established on the north-east coast. During the previous operations the invading army had had no nearer base than New Orleans. Their maritime communications were, however, uninterrupted. Mexico had neglected her navy, which could not be employed in intestine *pronunciamientos*, and had no marine adventurers capable of waging a guerilla warfare by sea.

Political and administrative embarrassments contributed to Taylor's inaction. Polk thought that, having beaten the Mexicans in the field, it might be possible to attain his further objects by negotiation. He offered to purchase the north-western provinces of Mexico, Upper California and New Mexico, for a sum of twenty-five million dollars. The Mexican Government, however, refused even to receive his envoy. The Federal Administration had, moreover, contemplated the transfer of the Mexican command to Winfield Scott, the senior General of the army. But Scott was a Whig and a possible candidate for the Presidency, and the purpose was therefore suspended, if not dropped. Meanwhile Scott had availed himself of his ambiguous position to send Taylor instructions hardly compatible with those he received from the War Department. Secretary Marcy wanted to know whether Taylor thought it expedient to advance upon the capital; while Scott, taking this for granted, sent to the commander on the spot directions based upon that assumption. Santa Anna was permitted to pass safely through the cruisers and blockading squadron of

the United States, in the belief that he would adopt a policy of peace ; but once restored to his country, seeing the supreme power within his grasp, the ex-Dictator preferred to appeal to the yet unbroken spirit of his countrymen. Polk, who could never understand their Spanish pride and chivalric disregard of consequences, who despised the Mexicans as a semi-civilised population and their Government as a continuous anarchy, found to his dismay that his manœuvre had simply given them the one leader capable of acquiring and using an absolute military and civil supremacy, the one man whom the nation would trust and whom the Generals were obliged to obey.

In September 1846, with a picked force of some six thousand men, Taylor marched almost due west on Monterey,<sup>2</sup> which commanded what was considered the most practicable direct route to the capital. The Mexican commandant had availed himself of the respite afforded him to strengthen his fortifications to the utmost, and his garrison was larger than the force brought against it. Taylor relied somewhat too much upon the superior daring, dash, and weapons of his men and the strength of his artillery. The small arms of the Mexicans were of an antiquated pattern, while the Americans were provided with the best rifles then known. The artillery with which the defences were mounted was of varying calibre and inferior construction, but on the whole, for siege purposes, scarcely less effective than that of the assailants. The consequence was an equal, obstinate and sanguinary contest. It was impossible to invest the place ; the principal defences had to be carried by assaults, of which some were repulsed and others but partially successful. Constant and desperate fighting continued from September 20 to the evening of the 23rd, by which time the assailants had established themselves in more than one commanding position. Unable to hold out, but seeing his line of retreat open, the Governor offered to capitulate, and extorted from Taylor--a stern, resolute, and by no means over-generous antagonist--terms which prove

<sup>2</sup> Not the important Californian town of the same name, which figures in detailed histories of the war.

how dubious was the issue, how grave the mistake committed in assaulting so strong a place with so weak a force. The garrison surrendered the town and the greater part of their artillery, but retained one complete and well-mounted battery, their colours, and all the weapons of the infantry. They secured an unmolested retreat, and an armistice which allowed the shattered army and revolutionised Executive of Mexico time for recovery and reorganisation. The victory of the Americans, then, though highly honourable to the courage of the soldiery, was incomplete and unprofitable.

Meanwhile General Kearney had occupied New Mexico and the city of Santa Fé with little or no fighting. Fremont, a lieutenant in the army, with a small exploring expedition, had reached the western slope of the Rocky Mountains, when the news of war was brought to him by Lieutenant Gillespie, who carried no despatches, but some verbal suggestions rather than orders, from Washington. After some delay and hesitation, Fremont, supported by Commodore Stockton with a small naval force, raised the American settlers against the Provincial Government, and on August 13 entered Los Angeles, the capital of Upper California. After some further desultory operations between forces neither of which numbered a thousand men, a virtual truce was concluded, and the Californians dispersed to their homes. The American commanders assumed that the provinces they had occupied already belonged to the United States, and proceeded to organise not only a provisional and military but a civil Government, exacting from the local officials an oath of allegiance to the United States.

The armistice of Monterey excited much disapproval and disappointment throughout the States; but the policy of the Government was still uncertain, and political and sectional parties were already quarrelling over the division of the spoil. Calhoun, who understood the temper of the North, and well knew that a vigorous and determined effort would be made to deprive the South of all share in the conquered territory, had been from the first opposed to the war. As a sound, earnest and consistent Constitutionalist, he had joined the Whigs in

protesting against the usurpation of the President. He had even refused to vote upon the declaration of war, making out a strong, and indeed unanswerable, case of indecent and unwarrantable pressure. The despatches announcing the commencement of hostilities had arrived on Saturday May 9, had been formally referred to Congress on Monday the 11th, and Congress was called upon to take action upon them within less than forty-eight hours, and before copies had been printed and distributed. He now insisted on a defensive line ; that is, on confining the army to the defence of the territory already conquered, the utmost which the Government proposed to annex. On military grounds, Taylor had given the same advice ; and the Administration had, up to the last moment before the meeting of Congress, inclined to that course. As might be inferred from the counsels of a statesman like Calhoun and a General like Taylor, the defensive policy was not so absurd as it seems. It was obvious that Mexico would persist indefinitely in reclaiming her lost territory. It was not improbable that she might attempt to recover it. It was almost certain that she would be defeated ; but it was clear that, so long as her claims were practically asserted, the United States would be compelled to maintain, at enormous expense, a large force for the defence of the new frontier. That force must be scattered at wide intervals along a line of several hundred miles. Without roads, with insufficient water communication, the transport of supplies would be difficult and costly in the extreme, and concentration almost impossible. Volunteers would not engage in such a service. It would be necessary to increase enormously the numbers of the regular army. Moreover, such garrison duty in a desert country, in an unhealthy climate, without active employment, yet with constant liability to be harassed by raids, guerilla attacks, and possible assaults in force, would have more or less demoralised the best disciplined army in the world. This reasoning seemed conclusive. On the other hand, the prospects of an aggressive war, waged in order to force Mexico to accept a disadvantageous peace, were scarcely more promising.



To reach the capital by any route was a dangerous, costly, and uncertain undertaking ; to reach it from the North all but impossible. And success, however complete, might fail to attain its object. Suppose the Mexican army beaten and dispersed, the capital taken. The first result would be the dissolution of the Central Government, civil and military anarchy throughout the country ; probably a prolonged, fruitless, and harassing guerilla warfare, to which, in the absence of any Government entitled to conclude peace and able to ensure the obedience of the local authorities of each province, there would be no visible end.

Popular feeling rather than public policy induced the American Government to elect the latter horn of this perplexing dilemma. The greater part of General Taylor's force was withdrawn from him—as the Opposition declared, because Taylor was now the most formidable military candidate for the Presidency. With the troops thus detached, and with powerful reinforcements, amounting in all to about 18,000 men, General Scott was despatched by sea to attack Vera Cruz, the most important city on the east coast, and, having occupied it, to make it his base and force his way to the capital. Scott supposed that his approach would divert the Mexican forces ; that Santa Anna, with an army of some twenty thousand men, would abandon his march against Taylor and return to cover the direct route to the capital, if not to oppose the landing of the new invaders. This natural expectation was disappointed. Taylor, with 7,000 men, had to meet the attack of Santa Anna's undiminished army. The former, who had advanced some distance to the southward, fell back and took up a very strong position on a line of hills known in military history by the name of the neighbouring *hacienda*<sup>3</sup> of Buena Vista. Here, on February 22, 1847, he

<sup>3</sup> *Hacienda* is a farm or plantation, generally extensive, with barns and buildings. *Rancho* is best translated by the Australian 'run,' a wild rude grazing ground. The former generally suggests comparative wealth and civilisation. But the words are loosely used, especially by Anglo-Americans. In a military aspect the *hacienda* is distinguished by the possession of buildings more or less defensible.

was attacked by Santa Anna with nearly threefold numbers. The first day's fighting was indecisive. The battle of the 23rd was perhaps the most obstinately contested, and to both parties the most honourable in the war. The Mexicans, after desperate fighting, turned the American left and drove several regiments of volunteers in headlong flight towards the *hacienda*. The dragoons of Arkansas and Kentucky, under Colonel May, one of the most distinguished soldiers whom Maryland can boast, were overwhelmed by the Mexican cavalry, driven in confusion, with severe loss, to the very walls of the extensive farm buildings, and only saved from extermination by the fire of their comrades who held the position. Colonel Jefferson Davis, with a splendid Mississippian regiment, backed by one from Illinois, turned back the tide of fight by a desperate and decisive attack, ventured on his own responsibility. The artillery of Captain Braxton Bragg, splendidly handled, and holding its ground with desperate courage, mainly contributed to the repulse of the Mexican left. The Mexican right, grievously compromised by its headlong advance, was withdrawn into safety by a not very honourable use of flags of truce. More encouraged by their partial victory than dismayed by their repulse, the Mexicans again assaulted the American position, and, though they failed to carry it, the second night fell upon what seemed a drawn battle. Even had it been so, as the Americans actually on the field were a little more than one to four, Buena Vista might well have been regarded as one of the most glorious names in the military history of the United States. It certainly entitles May, Davis, and Bragg to rank with the best and bravest soldiers of the Wars of Independence and of 1812—with Greene, Putnam, and Harrison. But under cover of darkness Santa Anna fell back, and retreated in no little confusion towards the capital, leaving the uncontested honours of victory to General Taylor, or rather perhaps to those subordinates who, at first during his absence, afterwards with little direction or guidance from him, had maintained the position of his choice.

On March 8 Scott effected a landing at Vera Cruz, placed his army in position across the peninsula on whose extremity the city stands, and invested it by sea and land. The fort of San Juan d'Ulloa, on an island or sand-bank covering the harbour, protected the city from a direct naval attack. The defences were strong but of old date and character, and without adequate out-works; the lines drawn far too near the city to protect it from the fire of modern artillery. Well provided with mortars and siege guns, Scott directed his fire not upon the fortifications, but upon the public buildings, churches, hospitals, and larger dwelling-houses of the town. The havoc was frightful. The slaughter of men, women, and children utterly terrified the civil population and appalled the soldiery. Despite the cruel pressure put upon its defenders by this effective but unsoldierly policy, Vera Cruz held out longer, perhaps, than if its antiquated works had been assailed by regular approaches and direct fire at close quarters. On March 29 the garrison capitulated, and were released on parole, not to serve again till exchanged. The next position held by the Mexicans in force was Cerro Gordo, a pass commanding the great high road to the capital where it enters the spurs of a line of hills not far from the coast. The foremost and most strongly fortified part of the Mexican position was turned, the immediately supporting force defeated and routed; and no fewer than three thousand men, their retreat cut off, surrendered as prisoners of war.

This battle was practically decisive. After some skirmishes of no great importance, the last of which was fought immediately in front of the city, the Americans occupied Puebla, next to the capital the largest town in Mexico. By the end of May General Scott found himself with ten thousand men within three days' march of the city of Mexico, where Santa Anna had collected a total force of thirty-six thousand. The Mexican commander amused General Scott with negotiations of a very ambiguous character; offering, for a bribe of one million dollars, to betray a part of his lines, and on their occupation to treat for peace. He certainly did

not keep his promise, and there seems no reason to suppose that he ever meant to play coward and traitor. The ground immediately in front of the capital afforded strong if not impregnable positions, and these were resolutely defended. Scott at last left Puebla on August 9, and, after some minor encounters and much trying and difficult marching, fought on August 20 another desperate battle at Cherubusco. General Valencia, Santa Anna's second in command and would-be rival, insisted on maintaining a position from which his chief desired to withdraw him; boasted loudly of certain insignificant advantages he had obtained; magnified the retirement of a reconnoissance into the defeat of an attacking force; and at last positively refused to obey orders. The result was the total defeat of a force considerably superior to that of the Americans, on ground which, if properly occupied and firmly held, should have been all but impregnable.

Santa Anna still maintained his defence, and contested with equal obstinacy and skill the determined advance of the invader. But a final battle at Chapultepec broke the heart and strength of the resistance, and on September 13, 1847, the American General entered Mexico. The next forty-eight hours were a reign of terror for the unfortunate citizens. The retiring army released some two thousand convicts, who maintained a vexatious and exasperating but ineffective struggle, and at the same time plundered and outraged their defenceless countrymen. The citizens at last turned upon them and aided the invaders, who maintained a better discipline than could have been expected from a victorious army harassed and irritated by such an irregular and illegitimate defence, in restoring order. The capital, in whose streets it is said nine hundred dead bodies were annually found, among whose population of 130,000 occurred yearly two hundred and twenty proven homicides, four thousand five hundred more or less murderous encounters, and about two thousand four hundred robberies, enjoyed under the martial law proclaimed by the conquerors a degree of peace and order it had never known. Santa Anna still endeavoured to prolong the war,

but the spirit of his troops was crushed. The people, tired of a resistance which had well redeemed their honour and of a war which, like all guerilla wars, afforded occasion for reciprocal atrocities, were impatient for peace; and a month after he left the capital the Dictator was again a fugitive. Mr. Trist, the chief clerk of the State Department, who had accompanied General Scott as the diplomatic agent of his Government, sent home a treaty signed by the Provisional Government, which owed its authority chiefly to the support of the American army, at Guadalupe Hidalgo on February 2, 1848. By this treaty Mexico ceded the territories of New Mexico and Upper California and received a payment of fifteen millions for a country of which the conquerors were already in full possession, the impossibility of whose recovery was obvious even to the national vanity of the Mexicans themselves.

## CHAPTER V.

## FIGHTING FOR THE SPOILS.

Northern Aggression—The Wilmot Proviso—The South stands by the Missouri Compromise—Refused—Election of 1848—General Taylor chosen President—Political Position of the South.

CALHOUN'S gloomy anticipations were fully verified. The Mexican war was the signal of a yet fiercer and more obstinate intestine conflict ; the first chapter of the long, yet unwritten, and generally misunderstood history of the disruption of the Union. The sectional struggle began almost with the commencement of the war. Before the spoil had been secured, indeed before it had been won, almost before the direction and extent of the intended conquest had been defined, the quarrel over its disposal had broken out, and had been carried far enough to foreshadow the ultimate consequences. In the second session of 1846 the application of the Government for a vote of two million dollars towards the purchase of Mexican territories had given the signal ; and the North had declared and commenced a conflict no longer of parties, but of sections, by proclaiming its determination to deprive the South of all share in the joint conquest, of any advantage from a war commenced in Southern interests and sustained in much more than due proportion by Southern volunteers.

The House, in which the three-fifths rule applying to the slave population of the South had given the North an even exaggerated ascendancy, insisted on appending to the appropriation what is famous in American history as the Wilmot Proviso : excluding slavery for ever from every part of the territory to be wrested from Mexico. The annexation of Texas had given the South a majority of two votes in the

Senate. It was therefore clear that no such proviso could pass that always more thoughtful and conservative assembly. It was equally certain to provoke the veto of the President, and its adoption by a sectional vote at this stage of the question was simply a Northern declaration of war upon the institutions, the interests, the honour, the constitutional equality and territorial rights of the South. That herein the North was guilty of pure aggression admits of no question. The South had joined in asserting the national claim to the northernmost frontier to which the United States could show a shadow of a title. She had secured for the Union a territory as large and apparently much more valuable than any that could be acquired from Mexico, and had yielded it, not without dispute, but after a dispute maintained on merely formal and legal grounds, to the North. No Southern leader seriously dreamed at this time of claiming any part of the vast region between the old Mexican and the new British frontier for the South, or thought that slavery could be established in any territory north of the dividing line of 36° 30'. If the Missouri 'compromise' deserved that name, if it were aught but a thinly-veiled proclamation that the weaker party should derive no benefit whatever from the Union, the South had a clear right to all territory below that line. That engagement apart, she had a good title to the greater part of the Mexican conquests and purchases; first, as an equivalent for the vast country between the Spanish line of 42° and the English frontier of 49° secured to her partner; and again, because she had been deprived of it by Adams's frontier treaty. It was the very territory which had been considered throughout the earlier discussions on the 'compromise line' as the equivalent she was thereby to secure. That line could never have been drawn had it not been assumed that the Rio Grande rather than the Sabine was her southward limit. The Federal bond itself had placed slavery and freedom, as American institutions, upon a footing of absolute equality. However the awakened conscience, antagonistic sentiment, or self-interest of the North might now regard them, those compacts,

express and implied, were none the less binding so long as the Union should endure. On its dissolution the Territories must be equally divided. Had the present pretensions of the North been whispered in 1787, no Southern State would have entered the Union. If the new Northern interpretation were tenable, the South had been deceived ; if not, she was now to be robbed by naked force.

The contest lasted with varying fortunes, but with constantly increasing mutual exasperation, for four long years. The Wilmot Proviso was defeated in the summer session of 1846 by a mere accident. It was believed that its friends had a majority in the Senate ; but Davis of Massachusetts, one of its most violent partisans, insisted at the last moment on making a speech in its defence, and was interrupted by the announcement that in pursuance of a previous arrangement the House of Representatives had adjourned *sine die* and the session was at an end. In the next session—December 1846 to March 1847—the South offered to extend the Missouri compromise line to the Pacific ; but the offer was instantly voted down. It is obvious, then, that the South asked nothing but her due, a reasonable division of the Territories. To that offer the North simply refused to listen, though it would have secured to her and freedom a large part of the conquered territory. The Wilmot Proviso was again passed by 115 to 106 votes in the House. On March 1, 1847, it was rejected in the Senate by 31 to 21 votes, and the House finally, by 102 to 97, resolved not to insist upon it.

But the contest raged none the less fiercely, though interrupted rather than inflamed by the Presidential campaign of 1848. Polk's Administration had scarcely a party in Congress or in the Union. Webster, Clay, and Adams were its avowed opponents. Calhoun had broken from it, and declared himself against the war which formed its sole distinctive policy and *raison d'être*. Clay was again thrown over by the Whig convention, in favour of General Taylor ; who, never having expressed, nor probably formed, a political opinion of any kind, might serve as a neutral rallying-point for all the dissatisfied



fractions. A large slave-owner, a man of Southern birth and sympathies, a soldier who, it was said, had never cast his vote in a State or Federal election, his only point of contact with the Whigs was his resolute and purely military Unionism. The profound sectional divergence, the irreconcilable conflict between slavery and freedom, the aggressive designs of the North, the prospective danger recognised more and more clearly by every competent Southern statesman, were utterly beyond his grasp. In bringing him forward, solely on account of his military fame, the Whigs at once renounced their condemnation of the war and left their political principles in abeyance.

The discovery of gold attracted to California tens of thousands of reckless emigrants, the lawless scum of society—American and European, Northern and Southern, English and Irish. Congress could not give them a Territorial organisation, because that organisation must either admit or exclude slavery. The consequent anarchy was terrific and intolerable ; and Taylor, ignoring all constitutional principles and sectional consequences, alive only to the present and pressing necessity, encouraged this wild population to form a State Government and demand immediate admission to the Union. His action was probably unconstitutional. The organisation of a State which had never been an organised Territory was unprecedented. But Taylor recognised only that California must be governed, and that Congress would not provide for its government. An extensive territory below the 36° 30' line was thus wrested from the South. The Californian Convention unanimously resolved on the exclusion of slavery. There was no excuse for the attempt to deal in a similar way with the vast area, disputed boundaries, scanty and half alien population of New Mexico ; but Taylor attempted it, though in vain. He died July 9, 1850, soon after the close of his first year of office ; and was succeeded, like Harrison, by a chance Vice-President, the insignificant and almost unknown Millard Fillmore of New York.

Meanwhile the sectional struggle and the consequent deadlock continued. The South had no choice ; she was

standing with her back to the wall. The growing strength of the Abolitionists, the constantly rising pretensions of the North, the repudiation of constitutional restraints hitherto held inviolable, of principles never before disputed, had brought home to the clearer-sighted statesmen of the South a peril hitherto undreamt of. That slavery within the States was beyond the scope of Federal interference had hitherto been recognised by all parties. But the present temper of the North reminded far-sighted men that the letter of the Constitution had set but one limit to the power of constitutional amendment. No State could be deprived of her equal representation in the Senate. This restriction showed that the Constitution never contemplated an amendment interfering with the individuality or independence of the States. But the Free-soilers had disregarded inferences quite as clear and unquestionable. To allow the North to monopolise the Territories and the power of creating fresh States, thus acquiring a majority in both Houses, was to place the institutions, the sovereignty, everything but the nominal individuality, of the Southern States at her mercy. If so monstrous a pretension were pressed, the Union was at an end. Calhoun had always maintained that its permanence was in danger not from disruption but from consolidation. With this peril in view, the South had incomparably more at stake than in the War of Independence. At any time she would rather have remained a dependency of England than a subject province of the North ; and the Territorial question was now one not merely of interest and honour but of national existence.

On many of the separate issues, on two or three of the advanced positions taken up during this contest, the Southern leaders seem to have been clearly in the wrong ; though more than one of their extremest pretensions was afterwards sanctioned by the Supreme Court. The absolute sovereignty of Congress over the Territories, including the power to admit or exclude slavery, seems hardly contestable. But even Calhoun, clear, thorough, and profound as was his mastery of every question of practical statesmanship, never seems to have

definitively realised the double meaning of constitutionality. From the equality of the Sovereign States—their equal right in the common possessions—he justly inferred the constitutional title of the Southerners to carry their human property with them into the Territories; and hence he was led to deny to Congress a power obviously granted by the Constitution, because its exercise would be in the higher sense of the word unconstitutional.<sup>1</sup> He would gladly have seen the Territories fairly divided. Yet he advanced a theory which would have made such division, the one safe and peaceable settlement of the question, impossible.

A yet more preposterous doctrine was extorted from the embarrassment of the Northern Democrats. Cass, the late Democratic candidate for the Presidency, not daring to offend his constituents by affirming the equal right of the States and supporting the division of the Territories, now invented a new theory, and asserted the right of the first chance settlers of a Territory to admit or exclude slavery at pleasure. The monstrous falsehood and political absurdity of such a dogma were conclusively exposed by Calhoun. Some six years later, in the course of a long and tortuous retreat from the strong and safe ground of the Constitution, the leaders of the Northern Democrats formally adopted and developed this extraordinary dogma under the name, or nickname, of ‘squatter sovereignty.’ Its unconstitutional character was at last denounced by the Supreme Court; its practical and only possible interpretation was written in blood on the prairies of Nebraska.

<sup>1</sup> At a later time the Republicans, in yet more glaring disregard of the constitutional sovereignty of Congress in the Territories, denied its right to *admit* slavery.

## CHAPTER VI.

### SLAVERY, THE BIBLE, AND THE CHURCHES.

Coloured Seamen in Southern Ports—The Envoy of Massachusetts expelled from South Carolina—Disruption of the Churches—Pro-slavery Divinity and Abolitionist Denunciations.

A STATE of tension, which would have led to war between independent Powers, had existed for twenty years between the leading States of the two sections. It had been forcibly illustrated by a quarrel between Massachusetts and South Carolina, which, after causing much irritation and leading to communications far from amicable, reached its culmination in 1844. South Carolina, like some other States, had passed regulations of police intended to exclude free negroes from her territory, and even from her harbours. Vessels bringing such persons into her ports, whether as passengers or members of the crew, incurred very serious liabilities. So long as the ship, foreign or American, lay in port, such coloured men were imprisoned; the captain bore the cost of their imprisonment, the coloured seamen, if not paid for and taken away when the ship sailed, were liable to be sold as slaves. This law was passed in 1820. In 1824 England protested, and the Federal Government pronounced the law unconstitutional. South Carolina then forbore to enforce it against foreign nations, whose trade was comparatively small and which employed few coloured seamen, but maintained it strictly against the Northern States, among whose crews free men of colour were numerous. That such a law *primâ facie* infringed upon the exclusive jurisdiction of Congress over foreign and inter-state commerce, seems, in spite of some ingenious special pleading, undeniable. The imprisonment, and above all the conditional

enslavement, of their free coloured citizens was a wrong and affront which touched the Northern States almost as closely as the resistance to the admission of Slave States, the Liberty Laws, and the attempt to monopolise the Territories touched the South. But the experience of States which had refused to adopt so severe a precaution, and had relied on the constitutional loyalty and public faith of their Northern confederates, was such as to show that the latter had no right to complain of any restriction placed on their intercourse with Southern ports. In 1839 three coloured seamen from New York conspired to effect the escape of a Virginian slave. The offence had been committed within Virginian jurisdiction, and was therein an act of theft. The Supreme Court, moreover, by the mouth of Judge Story, had pronounced that property in slaves was recognised by the Constitution. Virginia therefore justly claimed the surrender of the offenders for trial. Governor Seward of New York peremptorily refused the demand. The Carolinian law was thus proved to be only an act of reasonable self-defence. It was obvious that if the coloured seamen of New England and New York were admitted into Southern harbours, the strongest sympathies of race and instinct would prompt them to abuse the privileges of quasi-citizenship and the opportunities they would enjoy ; and yet more obvious that no redress was to be expected from their Governments.

In November 1844 the Government of Massachusetts despatched one of her most distinguished citizens, Mr. Hoar, to remonstrate with the authorities of the Palmetto State. The latter had a clear and conclusive answer to Mr. Hoar's argument. Massachusetts was the first aggressor. She had never delivered a single fugitive slave. She was detaining at that moment a large quantity of stolen South Carolinian property, and her demand, if complied with, led directly to further depredations for which it was notorious that no satisfaction could be obtained. It became the dignity of South Carolina to receive the envoy of a sister State with formal courtesy ; and this was the easier as the retort which his complaints invited was

the more complete and crushing. But Carolinian temper had been goaded by the bad faith and incessant insults of Mr. Hoar's employers beyond the control of reason or policy. The envoy was not only refused a formal hearing, but was hooted and menaced. The citizens of Charleston threatened to expel him by force, and might have put their threats in execution but that he was accompanied by a daughter. Southern chivalry shrank from applying even constructive force to put Miss Hoar with her father on board a Northward-bound steamer. But the people were determined to avenge the invectives of the New England press and pulpit, of Massachusetts Senators and Representatives; and Mr. Hoar, fearing that his daughter's presence might ultimately fail to protect him, yielded to moral compulsion, entered the carriage sent for him, and went on board the vessel prepared for his reception. Carolinian intemperance enabled him to effect a far more dignified and honourable retreat from a false position than if his reclamation had been laid before the Government and Legislature, and received a reply veiling righteous indignation and contempt in the language of diplomatic courtesy. Union between States so exasperated against one another that their mutual complaints could not be exchanged in the decorous forms observed by foreign Powers, that even the persons of their ambassadors were not safe from popular violence, was no more than the shadow of a name.<sup>1</sup>

A yet more signal evidence of the hollowness of the Federal bond, of sectional consolidation, and political disunion was afforded by the gradual division of most of the Protestant churches into Northern and Southern branches.<sup>2</sup> In less than twelve years from the commencement of Garrison's agitation Presbyterians, Methodists, Baptists had broken up into

<sup>1</sup> Von Holst, vol. iii. p. 137.

<sup>2</sup> Really if not formally and nominally such. In more than one instance the anti-Southern branch had slave-holding members and forebore to interfere with relations directly sanctioned by Divine recognition, by apostolic injunctions and by the uninterrupted practice of Christendom. The Quakers had gone far to put down slavery within their communion. See Greeley's *American Conflict*, vol. i. p. 10.

Pro-slavery and Anti-slavery sections. No political dissension could be permitted to trouble the peace of that great Church whose unity has endured for centuries the strain of protracted international wars, of gigantic revolutions and unexpected theological developments. Moderation and mutual tolerance, facilitated by an Erastian laxity of discipline, and perhaps the correspondence of her dioceses with political divisions, enabled the bishops, clergy, and congregations of the Anglican communion to agree to differ. These excepted the strongest bonds of sect—bonds strengthened by habit and tradition, by affections social and local, personal and hereditary, welded by the memory of past persecutions and present antipathies, by theological animosities and jealousies, by the pride of leaders in their influence and of followers in their number—snapped under the strain of the anti-slavery agitation. The characteristic ‘discipline’ and inveterate intolerance which had done much to consolidate their power in the past, shattered it now. They had meddled in family life, dictated the tone of social intercourse; had forbidden theatres, concerts, and novels; had punished dancing with excommunication; and if they could not make teetotalism a condition of ‘fellowship,’ had made it a point of clerical decency, of feminine self-respect, and a test of ‘real godliness’—till young men found it difficult to steer a safe course between reprobation and hypocrisy. When once, therefore, Abolitionism made its way to the pulpit—when it could no longer be treated as a symptom of heresy at large—when slavery was denounced as an abomination hateful to God and man—they were forced to take a side. Did the Eighth Commandment apply to human chattels? Was it a painful duty, or a mortal sin, to relegate a Christian brother—or sister—to life-long bondage? The Churches were loth to pronounce, slow to speak; but they had forfeited the right of toleration, the liberty of silence. Those who had fearlessly passed judgment on waltzing could not leave slavery an open question. American opinion had dissevered Church and State, had done its best to disconnect religion and politics; but common forms of worship, common

sectarian interests and partisanship, were among the strongest of those personal and social ties, uniting distant localities and distinct classes, which help to create and maintain a common national life; and the sectional separation of the Churches was among the most significant auguries, and not least potent secondary causes, of national disruption.

As the sectional contest waxed hotter and fiercer, as the slavery question was placed on higher grounds and appealed to more imperative considerations, the Northern pulpits rang frequently and more loudly with denunciations, not only of slavery and slave-owners, but of those false brethren, those apostate ministers, those hypocritical divines, who pretended to find in Scripture a sanction for the bondage of the negro.

Bearing carefully in mind what the issue actually was, it must surprise an unbiassed critic to find this charge preferred by, rather than against, the orthodox preachers of New England. That issue was not the justice, the humanity, the economy, or the morality of slavery; not even its compatibility with the Christian civilisation of the nineteenth century, or the essential spirit of the Master's teaching—but its claim to literal sanction and Biblical authority. That those who advanced such a claim should be loudly and confidently charged with palpable hypocrisy and conscious bad faith, shows that the state of mind of the accusers—of a majority of the Puritan ministers and professing laity throughout the North, of half the earnest-minded men, and more than half the 'religious' women of New England, was that which careful thinkers call distinctively fanatical—that frame of uncaused conviction and passionate, uncontrollable enthusiasm to which reasoning is intolerable, reflection impossible, and contradiction simply maddening. No one familiar with the astounding facility with which devout and constant readers find in either Testament all they believe ought to be there, and their yet more astounding ignorance of the actual contents—with the carelessness of the true sense of the language of the Authorised Version which characterises many of its popular expounders, will impute the denunciatory invective



of Abolitionist divines and their lay assistants to conscious dishonesty. But thinking men must have known that their Southern brethren had been quite as honest, true, and pure as themselves, and, since they rather than the Southern Churches had changed their ground, that the latter were entitled to be credited with perfect sincerity. Cool controversialists, they must have examined the evidence, and having done that, must have been compelled to silence or moderation. The appeal lay to the text of the Gospels and Epistles. On no other question was Northern and especially New England orthodoxy then disposed to appeal from the letter to the spirit. Both parties assumed that the actual Scripture, the recorded acts and words, the literal precepts, parables, reasonings, examples of the Apostles and their Master were the ultimate standard of eternal and unalterable truth, the rule of Christian life. Such was the fundamental postulate of all the divided Churches, of nearly all Protestant men and women, North and South, who called and believed themselves religious. And no man of intelligence and candour who had once referred to this ultimate authority could doubt that the pro-slavery divines had much more than that tenable, plausible, *primâ facie* case which would suffice to refute the charge of hypocrisy. Such a man, reading with constant reference to the original word translated by 'servant' must have felt that the case of the Southern Churches was more than arguable. A little further study would lead him to fear that the charge of *mala fides* might be retorted with terrible effect.

The Southern divine claimed that every word directly relating to slavery, from the first verse of Matthew to the last of Revelation, was in his favour. Where, he asked, was the exception to be found? It might be easy to make 'a case for the jury' out of antiquated interpretations and misapplied prophecies, easy to baffle an adversary who appealed to the impiety of Ham and the curse of Canaan. 'The hireling,' said the Southern theologian, 'is mentioned to compare his treatment and his conduct unfavourably with those of the slave. The Parables illustrate God's relation to man by that

of slave-owner and slave oftener than by any other save that of father and child. The duty of obedience, contentment, submission to his condition, whatever its origin, is enforced upon the slave. The master's right is taken for granted. He is incidentally told to treat his slaves kindly, but never advised to liberate them. Emancipation is not even, like voluntary poverty, a "counsel of perfection." The silence of the Gospels and Epistles is even more significant than their speech. The Roman slavery of that day was incomparably worse than that of the negro. It did not civilise, educate, and protect an inferior race. It was the bondage of equals to equals—of Greeks, Italians, Spaniards, often of highly educated men and delicately nurtured women, to men of the same blood and speech. Prisoners of war, debtors, victims of kidnapping and piracy, and their children to the tenth generation, became and remained slaves. Southern law recognised the slave as a person, that of Rome placed him on a level with his master's ox or ass. Of the horrible cruelty even of Roman domestic slavery it is needless to speak. The worst plantation gang was a paradise to the Roman *ergastula*. The servitude of a Campanian farm was far worse than that of an Alabama plantation. It was Roman slavery which St. Paul and St. Peter had before their eyes; which they explicitly and tacitly sanctioned.'

It is easier to understand the Abolitionist who revolted from Scriptural authority because it unquestionably sanctioned slavery than the divine who denied that it did so. To current prejudice it seems a paradox, but to those who have studied the subject and understood the people, it is an obvious and natural fact, that from 1830 to 1865 the Scriptural sanction was the strongest and firmest bulwark of Southern slavery. Natural religion, theoretical morality, the instincts of justice, revolt from the institution; feminine purity and masculine principle from many of its inevitable incidents. Nevertheless the men, and yet more the women, of the South firmly believed in the one and tolerated the other. No one can follow Calhoun through his lifelong struggle against tremendous

odds, his almost prophetic sternness and severity of rebuke, his dauntless reliance upon his cause, without feeling that he and the people in whose name he spoke were convinced that their case rested on no mere legal technicality, no mere treaty obligation, no constitutional inference, but on the eternal laws of right; that their conscience was clear and strong in the faith that God was on their side.<sup>3</sup> Orthodox Christianity, undoubting faith in the verbal inspiration and literal authority of Scripture, were characteristic of the South; while Unitarianism, Universalism, and scepticism prevailed widely among the grandchildren of the Puritans. Nothing but the conviction that slavery was in itself righteous, humane, and above all Christian, could have reconciled the countrymen of Washington and Calhoun, of Lee and Stonewall Jackson, to the harsh restrictions, the invasions of political and civil liberty, the restraint of free speech and printing, the difficulties imposed in the way of emancipation, the prohibition of education among the slaves, the exclusion of negro evidence, the severe precautions of every kind by which, especially since the commencement of the Abolitionist agitation, it was found necessary to secure and protect slavery.

<sup>3</sup> I speak of slavery, and negro slavery in particular, as an institution, not of the slave codes or of some common consequences. There are utterances of the Christian Churches on some points—as upon the validity of slave marriages—which, if truly quoted, are simply appalling. Thoughtful and Christian Southerners regarded the abuses of slavery as religious English men and women regard the revelations of the Divorce Court—*corruptio optimi pessima*.

## CHAPTER VII.

## THE COMPROMISE OF 1850. TESTAMENT OF CALHOUN.

Disunion in Sight—Alarm of the Statesmen—Last Speech and Death of Calhoun—The Compromise Measures—The Fugitive Slave Law—Speech of Webster—His Motives and his Fate.

THE struggle continued, bringing the peril of disunion ever nearer, till, blind as the Northern masses still remained, the eyes of statesmen were opened perforce. The dreaded spectre stood, distinct and palpable, right across their path, and its appalling immediate presence terrified them into another of those so-called compromises by which they yielded the principle to win the substance, giving the form of victory to one section and the fact to the other, mortifying the North and cheating the South. It might have been foreseen that such a policy could only tend to exacerbate the resentment and inflame the mutual animosities of both. The South had nothing to retract or concede. But the petty differences of party prevailed over the great issue, whereon every Southerner felt and thought alike; and Calhoun's defeat in an attempt to unite Southern Whigs and Democrats on a common platform confirmed the Northern populace in the delusion that the South was neither resolute nor unanimous; that disunion was a dream or a game of brag. The statesmen, better able to gauge the comparative significance of the common conviction and the formal division, were thoroughly alarmed. They saw the danger; one only among them discerned at once the peril which was plain to them and the vanity of all their remedies, the depth and breadth of the gulf that yawned between the fundamental principles, the rooted determinations, the ingrained moral convictions of the North and South. Calhoun alone understood both the Abolitionists and the Southerners;

realised the irrepressible conflict of which Seward afterwards talked ; saw and avowed at last that no compromise could appease it or long postpone its issue. If he did not draw the true inference, acknowledge the inevitable consequence he had so often indicated, it was because he *would* not see—because his feelings were too strong for his logic, his Unionism too profound and passionate to endure the conviction that the Union was doomed. That it could not much longer endure the strain of sectional conflict, he knew and proclaimed ; that the Abolitionists would not and the South could not yield he plainly declared ; but he refused to believe that the encroachments of the North would be pushed to extremity. He would hope against hope that when the alternative was brought home to them, the patriotism, the constitutional sense, the interests, the conscious obligations of the Northern people would reduce the fanatics to silence—would crush the Abolitionist agitation rather than drive the South to secession. He knew that no pressure would have silenced him ; he failed to perceive the equal impossibility of silencing the enthusiasts of emancipation, probably because he judged the Garrisons, Lovejoys, and Greeleys whom he did not know by the Searwards, Chases and Websters he knew to the inmost core.

On March 4, 1850, occurred one of the most picturesque and pathetic scenes in American history : a scene which has its nearest parallel in Chatham's dying vindication of the integrity of the British Empire. The greatest of American statesmen—the author of Nullification, the arch-champion of State rights and Southern interests, the patriot so often charged with disunionism, whose one fatal mistake was his determination to believe, in the teeth of fate and fact, that attachment to the Union was compatible with his supreme allegiance to South Carolina, his devotion to the interests of her sister States—uttered his last warning, bequeathed his final counsel, the last remaining hope he could discern of perpetuating the Union in rendering the South secure within the lines of the Constitution, to the assembled Senators who represented the majesty of thirty Sovereign States. He was

dying, and he knew it; and the truth came suddenly home to his hearers when they found that that thrilling voice was already hushed—that they should never again hear the eloquence of profound and passionate conviction, of devoted and unselfish loyalty and patriotism, of a wisdom almost prophetic, from the lips that had never paltered with the truth, never pandered to selfish interests or popular passion, never shrunk from utterances wounding to party spirit and fatal to personal ambition. Calhoun sat pale, feeble, and suffering, the fire in those dark eyes contrasting the wasted form and worn face, while his last speech was read, amid the deep silence of intense attention and universal emotion, by Mason of Virginia.

‘I have, Senators, believed from the first that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion.’ Thus, with the plain direct statement of the obvious truth, the unreserved utterance of a warning a hundred times reiterated in softer words to deaf ears and stubborn consciences, began the last deliverance of its greatest statesman in the darkest crisis of the nation’s life. By the admission of the most intemperate, virulent, and one-sided of anti-Southern and anti-slavery historians, every word of that great speech was carefully weighed. It contained not a syllable of angry declamation or even covert menace; yet its warnings were explicit, definite, peremptory.<sup>1</sup> The lingering hopes were avowedly slighter than ever before, the apprehensions darker as the South was weaker, the agitation against her far stronger than at the date to which Calhoun assigned the commencement of the fifteen years’ battle. ‘Is it not certain that, if something is not done to arrest it, the South will be forced to choose between abolition and secession?’ That choice would not be immediate; years must elapse before the alternative could be thrust upon the States: before the strong ties of interest and sentiment, of historic pride and present patriotism that held the Union together could be snapped one by one. Disunion must be the work of time; but the sand-glass had been turned.

<sup>1</sup> American Statesmen: Von Holtz’s *Life of Calhoun*.

Not less striking than the calm solemnity of this political testament of the great Conservative leader was the moderation of the claims preferred on behalf of the South by her dying champion. The Union could yet be saved, for the North had only to will it : to do justice by conceding to the South an equal right in the acquired Territories, to fulfil her own express obligations, to refrain from agitating the slavery question, and so to amend the Constitution as to restore that sectional equilibrium which was its original basis, which, till the commencement of this contest, had been carefully preserved. What Calhoun aimed at in this last suggestion was a remodelling of the Executive, which should prevent its assuming a sectional or party character and give to South and North a separate veto on Federal legislation ; in a word, to change the Presidency into a Consulate. It might be said that this was not so much to restore the Union as to recognise and formulate division. But the division was a fact, and the special characteristic of Calhoun throughout his career was his clear discernment and unflinching recognition of facts, however painful. This it was that distinguished him in life from the ablest of his rivals. This was the cause of his unpopularity among a generation which persistently refused to look facts in the face, to acknowledge their inevitable tendency and unquestionable meaning. To this he owes his posthumous rank among American statesmen. This gives to his every utterance, even on the chance questions of the day, its historic interest and importance. The profoundest orations of Clay and Webster on the gravest questions have a significance little more than ephemeral ; in the most ephemeral utterances of Calhoun we see passing events treated from the standpoint of history ; that present and future which are now long past traced by the voice of political prophecy as clearly, truthfully, and forcibly as historic experience can trace them. This dying effort, this final summary of the counsels and warnings so often spoken in vain, this last legacy of a statesmanship only too profound and far-sighted, was after all an unwilling and unconscious confession of despair. Calhoun himself could hardly dream

that the warning would be heeded, the remedy adopted; yet the generation which heard him was not to pass away till all should be fulfilled.

Among those who listened in awe and emotion were many of the great actors in the final scene of the tragedy whose outline and issue were mapped out before them by him whose part was done. There sat the Abolitionist leader who, more than any other man, forced on the South the last extremity of self-defence, the final choice between submission and secession; there, other Free-soil statesmen who were to tear up the Constitution in order to maintain the Union, and trample out the liberties of the North as the first step to the coercion of the South. There, with eyes intently bent on his face, were Calhoun's political heirs, his successors in the championship of Southern rights, destined to dissolve the Union in a last attempt to maintain the Constitution. Around the reader sat Seward and Chase, Jefferson Davis and some of his ablest coadjutors. Among the eager listeners who crowded the gallery may well have been many of the rising soldiers—the elder of whom had won honour under the common flag on the battlefields of Mexico, and, with the boys beside them, were to achieve a world-wide and eternal reputation as the leaders of armies arrayed against one another on American soil for the Union on whose behalf Calhoun pleaded for the last time, or for the State and section whose rights and honour alone were dearer to him than the Union. None can have listened with deeper feeling, with graver anxiety, or with more wilful incredulity, than the two great rivals with whom he had been so often allied, against whom yet oftener pitted, throughout a long public career: engaged at this moment in a final endeavour to achieve his object by the methods he once more pronounced vain and hopeless, by the last of those compromises between contradictory creeds and antagonistic principles which had so often proclaimed peace where peace was not and could not be: like Calhoun, saddened by repeated disappointment and conscious of failure, but more keenly wounded, more soured and embittered inasmuch as



their ambition was more selfish, their course less direct, consistent, and honest, their disappointments more personal than his. Doomed within two or three years to follow him to that grave to which he was visibly descending, Webster at least must have been awed by the presence of that which was wanting to his own last moments; the assurance wherein Calhoun found consolation for a career of constant defeat, a failure darker and more complete than that of which his rivals were yet conscious: the righteous conviction that he had served his cause loyally to the last. On March 13 the dying statesman made his last appearance in the Senate. On the 31st, the network of telegraphic wires recently stretched over the Union carried to East and West, to North and South the tidings that John Caldwell Calhoun had passed from the strife of politics—that a life of stainless honour and selfless public service had reached its close. His last conscious words lamented the dangers closing round the South.

Meanwhile the compromise to which Calhoun, though with little hope of immediate and none of ultimate success, had given the sanction of his high authority, had been eagerly and vigorously pressed. Clay's last attempt to reconcile the irreconcilable contained as usual, and it might seem more obviously and certainly than usual, the seeds of speedy and inevitable failure. California was to be admitted with a Constitution forbidding slavery; thus violating the accepted construction of the Missouri Compromise. New Mexico (including Arizona and a good deal more) was to be organised as a Territory under a law which neither admitted nor excluded slavery; thus referring to the Supreme Court a question unfit for and incapable of judicial decision, if only because no such decision could be accepted by the party which it must deprive of advantages already secured.

Next, the slave trade was to be suppressed in the District of Columbia; a concession which humiliated the South without affording any solid satisfaction to Northern anti-slavery feeling. Finally the constitutional obligation of the Free States to return 'fugitives from labour,' runaway slaves and

apprentices, like other fugitives from justice was to be enforced by Federal law. The fourth article of the Constitution, which provides for the reciprocal rights and duties of the several States, the interchange of citizenship and the mutual surrender of criminals, also enacts that 'no person held to service or labour in one State under the law thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labour, but shall be delivered up on claim to the party to whom such services or labour may be due.' This odious obligation was a part, and a most important part, of the conditions by which the accession of the South to the Union of 1789 had been purchased. The Northern States had got all, and more than all, for which they proffered that shameful price. Yet not only had they never returned a fugitive slave, but they had passed laws expressly designed to make such rendition simply impossible. Northern Courts were not called upon to recognise the right of property in man, but to remit 'persons held to labour by State law' to the proper local jurisdiction. Yet Judges sworn to execute that law had openly declared that they would not do their duty or keep their oath 'unless the claimant could show a bill of sale from the Almighty.' The purpose of Clay's law was to take the matter out of the hands of law-breaking legislators and forsworn tribunals, and place the jurisdiction in the impartial hands of Federal Commissioners. Despite heavy penalties imposed on the abettors or rescuers of a fugitive, the danger of interference was obvious; and the authorities were empowered and enjoined to call for any requisite civil or military support. A fine of not more than a thousand dollars, with imprisonment for not more than six months, seems at first sight a ruthless penalty for the mere concealment of a runaway. A further liability, if the slave escaped, to pay his owner (as by way of liquidated damages) one thousand dollars, the value of a good field hand, was simply just. From the standpoint of the law and the Constitution the fugitive slave was exactly on a par with other stolen property; and receivers of stolen goods are liable in almost every civilised country to severer punishments.

Unhappily, in spite of the deliberate engagement of the North to ignore it, no man, slave-owner or Free-soiler, could keep the human element in the stolen chattels out of sight. Slave-hunters and slave-traders were odious in the South, and those who most firmly and conscientiously believed that slavery was as a rule beneficial to the negroes, felt that the terrible risks and hardships incurred by the fugitive went far to establish an exception; to prove that he or she had found a bondsman's life intolerable. It was provided, not as has been alleged that the accused should not be heard, but that, like other prisoners at the bar, he should be incompetent as a witness in his own behalf. A *bonâ-fide* coloured freeman could have no difficulty in bringing forward abundant evidence of his status and identity. The decision of the Commissioner did not necessarily relegate the fugitive to slavery, but simply transferred him to the jurisdiction of his native State. It was impossible, if the Union were to subsist, to legislate on the monstrous assumption that Southern Courts would wittingly sanction the enslavement of free men. Massachusetts was entitled to have the status of an inhabitant tried within her jurisdiction, in the neighbourhood where he resided and where his witnesses would be at hand. When an impartial Federal official had decided that the accused was a fugitive from South Carolinian slavery, his State was in her turn entitled to demand that he should be remitted to her control. With a question between Carolinian slaves, freedmen, and citizens Massachusetts had no concern. The fears professed for the liberties of *bonâ-fide* coloured citizens betrayed either insincerity or violent and unreasoning prejudice. In one of the earliest cases tried under the law, a fugitive was sent back to Maryland and restored to his supposed master, who at once released him, declaring that he was not the Emery Rice for whom he was mistaken. Southern partisans declared that he was after all a fugitive slave though not the right one; which would seem an extravagance of party spirit, worthy of as much credit as the Abolitionist stories of successful conspiracies to enslave coloured Pennsylvanians and New Englanders—if the Abolitionists had told us who the man really was.

The rendition even of fugitive criminals has always been unpopular. Few men and fewer women would take an active part in restoring a runaway schoolboy to a hated master ; and the Fugitive Slave Law of 1850 rendered every citizen of the Middle States liable to a cruel dilemma. The appeal of a runaway slave might at any moment enforce upon him a choice between penalties almost ruinous to a man of small means, and the pangs of wounded feeling if not the tortures of remorse. Such was the price New England had engaged to pay, and still submitted to owe, for the benefit of the Union. The States and the majority of their people had no cause to complain, but the hardship to individual consciences was no less distressing.

One only provision of Clay's proposed law was clearly bad. The bias of every human being must be in favour of liberty. The Commissioners were to sit in States whose adverse feeling was intense ; which had systematically violated their public faith, whose citizens had broken their oaths as magistrates and legislators, State officers and jurymen, wherever the law of rendition was in question. Every decision in favour of a claimant would expose the Judge to odium and insult. To countervail these adverse influences it was provided that the unpopular decision should be rewarded by a double fee ; as if twenty shillings (£5) extra would ever turn the scale when the freedom of a fellow-Christian was in the balance ! No Abolitionist could have devised a surer means, without affecting a single judgment, to throw distrust and odium upon all.

The struggle in Congress was obstinate and protracted. It was decided by the unexpected and exceedingly unpopular course of Daniel Webster, now Senator for Massachusetts. I cannot doubt that Webster was in this case thoroughly disinterested, patriotic, and conscientious—more so perhaps than in any other act of a long and distinguished if not always scrupulous career. The Presidency had been the darling object of his lifelong ambition—the pole-star of his political course ; the election of 1852 offered his best and probably his last chance. Calhoun was dying : Clay was ' out of the running ; ' Webster

was the one great figure left on the public stage, towering high above all possible rivals. When, therefore, on March 7, 1850, three days after Calhoun's last great speech had been read to the Senate, Webster delivered in defence of the Compromise a speech marked by all Clay's effective popular eloquence—by a strength of clear, sustained, cogent, constitutional argument inferior only to Calhoun's—by that power to persuade the heart and convince the mind of judges and juries, populace and Senate, wherein the speaker had no living master—those of whose rooted and growing hostility to the South, to Southern statesmen, claims, ideas, and institutions, of whose selfish interests and sectional enthusiasms he had been so long the spokesman, were bitterly mortified. The passion of the Abolitionists and Free-soilers was inflamed to white heat by the Fugitive Slave Law; the meaner spite of the party politicians—whom a great leader's fervid appeals to Northern feeling might have borne into power—was exasperated; and both denounced him with unsparing and unforgiving virulence as a traitor who had sold his conscience and his constituents for the Southern vote. Only the reckless fury of Jackson's clientage ever ventured to impugn the honour and integrity of Adams, Clay, or Calhoun. Unfortunately, Webster's lax political morality, his self-indulgent temper and extravagant habits—together with a certain want of delicacy in money matters, which disposed him to consider himself, in public life as at the Bar, an advocate entitled to the warm gratitude of his clients, and not averse to receive substantial marks thereof—laid him open, on those rare occasions when party spirit is fanned by the magnitude and sacredness of the issue into furnace heat, to suspicions never whispered against men like Pitt and Burke, Washington and Hamilton.

Like all moreover who, as the spokesmen of factious intemperance, sow the wind, he reaped the whirlwind for his harvest. He had been so fierce against those with whom he was now allied; he had denounced so vehemently the claims he now pressed; pressed so far those he had now to rebuke and moderate. As usual in such cases, the rank and file,

astounded by the peace negotiated in secret while war seemed at the hottest, felt themselves betrayed and deceived. As is commonly the fate of statesmen, the punishment due to the sin was visited on the repentance. For twenty, thirty years Webster had been the foremost champion of those extreme doctrines and unconstitutional aggressions which, or the principles on which he justified them, he had now to repudiate and renounce—of the exclusion of Missouri, the Force Bill of Jackson, the onslaughts on slavery in the District and in the Territories. He had ridiculed the warnings of Calhoun, resisted the mediation of Clay, laughed to scorn the threats of secession—and he was now a Saul among the prophets of disruption, the last of the Union-saviours! The people were still as blind as their leaders had chosen long to be. They could not discern the signs of the times, read the handwriting on the wall which had appalled into a conversion—far less sudden than it seemed—those who looked in the face the statesmen of the South, and knew too well the meaning of their sad, stern, resolute countenances.

Few men of Webster's intellectual power could have gone so near the verge of destruction without realising it. Advocate not only by profession but by nature, he had never learned to weigh hostile argument and evidence, while he could answer them. He contradicted himself as freely, from different standpoints and in diverse phases of public life, as a great pleader in different cases. He had spoken, hitherto, from his brief as the retained attorney of New England: it is to his honour that, when his eyes were opened, when the gulf of disunion yawned at his feet, he recoiled with such instinctive and unhesitating decision. He had never, probably, been at heart an Abolitionist; he had in him nothing of the fanatic, and little enthusiasm that survived the parting cheers of audiences which had swayed as much as they had been swayed by him. But on one point he felt keenly and passionately. The United States, not the North, not New England, not Massachusetts, was his fatherland; his pride in the name of America—in the past, the present, the future of his country—

was the one permanent and spontaneous passion, the one political instinct of his nature ; and Canning or Palmerston would have borne the restoration of the Heptarchy as easily as he the dissolution of the Union. None perhaps had done more to endanger it ; he sacrificed all—even to his life—to retrieve that unconscious error of a lifetime.

Was it *not* sacrifice, but miscalculation ? Is it credible that, in reversing the course and breaking the ties of thirty years, he hoped to achieve the culmination of a consistent ambition by one act of supreme and glaring inconsistency ? Far from playing for the Presidency in the speech of March 7, did he not know at least that he was endangering, not promoting, that cherished dream of his life ; that he staked his party leadership, his sectional popularity, even his seat in the Senate, upon the issue ? The tone of his speech certainly suggests that his advocacy of the Fugitive Slave Law was the result of a profound if somewhat sudden conviction. Forced for once to regard the sectional dispute as a judge, not a special pleader, he could not mistake the plain meaning of the Constitution. There was no choice for an honest man but to fulfil the Constitution or renounce the Union ; and he could as soon have renounced his salvation. He argued the question from this point of view ; with a disregard of all others which shows that he had never shared and never understood the passionate feeling of his more extreme supporters. He vindicated the measure, not as a prudent and calculating politician would have done—as the most painful sacrifice that New England and her spokesman could make to the exigencies of justice and fraternity, to the claims of sister-States, the obligations of public faith, the maintenance of the Union—but as a plain, simple, obvious matter of law with which sentiment had no concern ; as he would never have argued such a claim in Court with the fugitive before his eyes. He was surely as thoroughly earnest and sincere as he had ever been in his life ; but it is said he was not above taking a pecuniary reward for the performance of a public duty.<sup>2</sup>

<sup>2</sup> See his life in Houghton's series of *American Statesmen, and contemporary journals and correspondence.*

Seldom was political error or political conversion visited with a more cruel and crushing punishment than befell the idolised leader of the Northern Whigs, the spoiled child of New England. The poetic reproach of Whittier, perhaps the bitterest piece of invective to be found in the whole range of political verse, exhibits with terrible truth and cruel pathos the actual position of Webster's last years, the utter alienation of public sympathy from a man to whom the admiration of the country, the confidence of his own people, the love of friends were the breath of life.

*ICHABOD.*

So fallen ! so lost ! the light withdrawn  
Which once he wore !  
The glory from his grey hairs gone  
For evermore !

Reville him not,—the Tempter hath  
A snare for all ;  
And pitying tears, not scorn and wrath,  
Befit his fall !

O, dumb be passion's stormy rage,  
When he who might  
Have lighted up and led his age,  
Falls back in night.

Scorn ! would the angels laugh, to mark  
A bright soul driven,  
Fiend-goaded, down the endless dark,  
From hope and heaven ?

Let not the land once proud of him  
Insult him now,  
Nor brand with deeper shame his dim  
Dishonoured brow.

Of all we loved and honoured, naught  
But power remains ;  
A fallen Angel's pride of thought  
Still strong in chains.



All else is gone ; from those great eyes  
The soul has fled :  
When faith is lost, when honour dies,  
The man is dead !

Then pay the reverence of old days  
To his dead fame :  
Walk backward, with averted gaze,  
And hide the shame !

After long and stubborn fighting, the Compromise of 1850, as it is called, was carried through Congress. The North, as usual, got the oyster, in the shape of the richest Southern region in the Union, the State of California ; and, as was then supposed, all the rest of the Territories except the still desert wastes of Arizona and New Mexico. The prohibition of the slave trade in the national capital attached a stigma to Southern institutions. The Fugitive Slave Law was a yet more stinging mortification to Northern feeling ; a very tardy and, as it proved, a very empty recognition of a right for which the South had paid twice over, and which no honest man could for a moment dispute. New England was formally convicted of a persistent breach of faith, and ordered to pay her debts for the future. Had the acknowledgment of wrong been frankly made by Northern votes on behalf of the North—had the operation of that ‘underground railroad,’ by which it was alleged that the Border States lost human property to the amount of \$200,000 a year, been really suppressed—the measure might have been, as its authors meant it to be, a proof of fraternal feeling, a satisfaction to the insulted dignity of the Slave States. But carried against the votes or by the absence of Northern members, in the teeth of passionate protests from Northern Legislatures, Churches, and peoples, the sole effect of the Compromise was to exasperate ill-will and render justice impossible.

Slavery was forced, in its most odious and repulsive aspect, upon the eyes and consciences of the Northern people ; and this was all that was purchased by the irrevocable surrender

of the whole habitable territory of the Union to their exclusive possession. Nothing did so much to inflame and envenom the feud as this last of the long series of the Northern conquests disguised under the name of compromises. Mr. Davis of Mississippi, the ablest of Calhoun's successors, disapproved the so-called settlement of 1850 no less warmly than the Abolitionist Hale, who truly announced it as 'a cry of peace where there was no peace.' Only two Northern senators dared to vote for the fulfilment of Northern engagements;<sup>3</sup> a significant evidence of the 'good-will' entertained by their constituents and expressed by the bill!

The Fugitive Slave Law was most earnestly demanded by those to whom the return of fugitive slaves was least important: those cotton and sugar States in which slave labour was perhaps most valuable, but from which escape was almost impossible. Coupled with the prohibition of slave-trading under the shadow of the Capitol, it was meant for a display of mutual good-will—the redress of a wrong rather than the suppression of a practical mischief. The disappointment was signal, immediate, and disastrous in the extreme. Northern mobs rescued fugitives, and Northern Courts, in open violation of law and oaths, acquitted the rescuers. Northern Legislatures passed State laws more offensive, violent, and unconstitutional than ever to prevent the execution of the 'supreme law,' the fulfilment of recently renewed engagements, for which they had secured a new and enormously exaggerated consideration.

The divisions on the 'settlement' had rent the Whig party into antagonistic sections. Henry Clay lived to see his last compromise on the verge of failure. The sectional animosities he had striven to allay broke out in new fury and more envenomed bitterness. He died in June 1852. His great rival thus withdrawn, Webster, who now held the Secretaryship of State under Fillmore, hoped for, if he did not confidently expect, the Presidential nomination of his party in the

<sup>3</sup> Von Holst's *Const. History*, vol. iii. p. 551.

coming Convention. But the North had not forgiven and the South declined to trust him. The Convention was divided between Fillmore, the representative of the moderate, and General Scott, the favourite of the anti-slavery section. The quarrel was settled by the adoption of the pro-slavery 'platform' and the anti-slavery candidate. And Webster, refused even the compliment of a strong minority vote in the last ballot, died before the election was decided—a baffled, disappointed, and broken-hearted man.

The attempt of the Whigs to suppress the irreconcilable divisions of their party by nominating a Liberal candidate on a Conservative platform failed as it deserved. There remained no pre-eminent leader, no statesman of repute, character, or ability comparable to the chiefs of the former generation, in either party. James Buchanan of Pennsylvania, Stephen A. Douglas of Illinois, and Cass of Michigan were the foremost figures on the Democratic side; but no one of them could lay claim to a pre-eminent authority, to high statesmanlike capacity, or even to a great national reputation. Each of them was strong enough to defeat the others, none of them able to secure his own nomination. Once more, at the last moment, a name hitherto unthought of and almost unknown was thrown before the weary electioneers. Franklin Pierce of New Hampshire had earned a respectable and honourable position as a soldier in the Mexican war, as Speaker of the State Legislature, as Governor and Representative; but had withdrawn from the political field, and was little known or wholly forgotten beyond the limits of his own State. A stainless private character, a consistent previous record, the education and demeanour of a gentleman, above all a mediocrity which was thought likely to render him a pliant tool in the hands of the party managers, were his sole claims to the chair of Washington. As a soldier he had no pretension to compare with Scott; even as a politician he had been less prominent; but the disruption of the Whigs, the dissolution of their party organisation in the North, rendered it unnecessary for the Democrats to trouble themselves about the fame or popularity of their candidate.

Not their own strength, but the weakness of their rivals, ensured their triumph. The electoral majority for Pierce was one of the largest ever thrown. The popular vote, though decisive, was not so unequal as would have of itself driven the defeated party to despair. It was the absence of a common principle, the existence of deep, permanent, irreconcilable divisions in their ranks, and not their defeat in the Presidential campaign, that practically dissolved the Whig party, after an existence of some thirty years.

## CHAPTER VIII.

## THE FILIBUSTERS.

Lopez and Crittenden—Cuban Intervention—Executions—American Feeling—  
Central America—Clayton—Bulwer Treaty—Walker—Interoceanic Canal  
and Railways.

THE Mexican war had given a new impulse to filibustering. 'Manifest destiny' seemed as good a title as discovery or conquest. For prescription a nation younger than some of its living citizens—a people whose every institution, whose very existence, was a thing of yesterday, which knew no 'time whereof the memory of man ran not to the contrary'—had little respect. Indeed the public law, the existing rights and boundaries of the New World had no prescriptive sanction. Everything had been established by violence within the memory of men still young and adventurous. Save the British empire in Canada and the European ownership of the Antilles and Guiana, the Union of 1789 was actually the oldest existing fact within their ken. The Spanish dominion in Cuba, with its unparalleled antiquity of three centuries and a half, was but the last relic of a dominion torn to pieces before their own eyes. This 'Pearl of the Antilles' was a rich jewel in the hands of a senile and semiparalytic owner. Its wealth, its position, its misgovernment, its actual feebleness and possible strength; the resources so mismanaged by its present possessors, the vast and indefinite capabilities which nothing but American enterprise was needed to develop, which would render it in their hands the very garden of the New World—rendered it a natural and almost legitimate object of American covetousness. As Great Britain had long claimed the dominion

of 'the narrow seas,' American pride affected to speak of the sea that washed the Antilles as—in the national sense of the ambiguous term—'American waters'; and Cuba was 'the key of the Gulf.' That key 'ought' to belong to the owners of Texas and Louisiana, of the Mississippi and the Rio Grande. Its possession had long been to the more aspiring and aggressive statesmen of America all that Constantinople, the Bosphorus, and the Dardanelles have been to the successors of Peter the Great.

But the first forcible attempt was made, if under less legitimate auspices, under colour of a better cause or more plausible pretext than mere lust of conquest. Lopez was no pirate, no mere soldier of fortune. He had fought in the South-American wars, under the flag of his native Sovereign, as a champion of legitimate authority. In exile, he assumed and sustained to the last, with unquestionable consistency and apparent sincerity, the character of a Cuban patriot. In that character he was not to be severely blamed for enlisting the aid of foreign sympathisers. There was less excuse for the adventurers who gathered round his standard; but among these were doubtless many who believed themselves actuated as much by national as by personal interests. His second in command was the son of Mr. Crittenden, then representing Kentucky in the Senate of the United States. On May 7, 1850, a party of some 600 men under Lopez himself sailed from New Orleans. Their final arrangements were made on a desert island off the Mexican coast, and on the 19th they landed at and seized Cardenas, a small port on the north-western coast of Cuba. The people, however, showed no disposition to join the intruders, and on the same evening a Spanish force drove Lopez and his party back to their steamer, the *Creole*. They were pursued by a Spanish man-of-war, but reached Key West, a naval station of the United States off the west coast of Florida, and disembarked there in safety. The *Creole* was seized by the Customs officers. A few days later Lopez was arrested at Savannah and put on his trial, but discharged, amidst the enthusiastic cheering of the people. In July a

second ineffectual effort was made to bring him and his associates to justice at New Orleans, where the expedition had been fitted out ; where, therefore, the actual violation of the neutrality laws passed by Congress in 1818 had taken place.

A new and more formidable expedition was set on foot in the summer of 1851. The steamer *Pampero*, with some 500 men, left New Orleans, touched at Key West, and on the morning of August 12 landed at Cubanos. Lopez doubtless believed, with the usual credulity of exiles, that on his first success his countrymen would rise and place him at the head of a real Cuban insurrection. He was bitterly disappointed. Discontent, however general, was not ready for rebellion. To Hispano-Cuban pride and jealousy the American intruders were more odious than the official oligarchy of native Spanish birth and language. Their sympathy was suspicious, their interference wholly unwelcome. Few or no natives joined their standard. On the day after their landing the invaders were attacked and broken up. A small party under Crittenden retreated to the sea-coast, while Lopez marched on into the interior. After two sharp encounters, in which vastly superior Spanish forces were repulsed with the loss of 500 men, Lopez sought refuge in the recesses of the mountains. But a severe storm ruined his ammunition, his band was routed and scattered, the survivors with their leader hunted down and captured. Crittenden reached the coast, seized some boats, and put to sea, but was taken and carried to Havannah, where he and his men, about 50 in number, were forthwith shot. Lopez was garrotted, insisting with his last breath that he died a martyr to the liberties of Cuba. The rest of the prisoners, about 150, were condemned to ten years' hard labour on the public works of Spain, but at the close of the first year were pardoned by the Crown.

The expedition was 'not only a crime but a blunder.' On the other hand, the execution of Crittenden and his party was a yet more fatal mistake. It was in strict accordance with Spanish and Spanish-American usage ; the wholesale execution of captives was the regular practice of their civil wars, and the

followers of Lopez were of course pirates rather than rebels—as were the Garibaldian Thousand in Sicily, and yet more distinctly the Pan-Sclavonic adventurers who formed the strength of the so-called Servian insurrection which furnished a pretext for the last Russian invasion of Turkey. But Crittenden and his comrades were by the instinct of the civilised world ranked with Drake or Grenville rather than with mere robbers like Kidd; and that instinct was outraged by the butchery of fifty such prisoners in cold blood. The subsequent lenity of the Spanish Government by no means appeased the resentment excited by the massacre of men among whom were the sons and brothers of distinguished American citizens. From that moment the national feeling of the two countries became bitterly hostile, and the relations of the Governments were strained to a degree which threatened the peace of the world.

Other considerations were of course at work. National ambition sought a pretext to seize the citadel of the Antilles; unscrupulous statesmanship saw a chance of restoring the equilibrium of the Union. The extreme Southern party coveted Cuba as a prize more valuable, till the gold discoveries of California, than all that had been wrested from Mexico: a country rich, undeveloped, inviting American immigration, yet already peopled; a country in which slavery was established and whose annexation might countervail the impending creation of new Free States in the North-West. But it was the enterprise and fate of Crittenden and his comrades which made the acquisition of Cuba a point of honour, an object of ambition, with the nation at large.

American companies had obtained concessions for inter oceanic railways and canals which involved them in frequent quarrels with the ephemeral Powers of the Isthmus. Under the rule of Fillmore and Pierce the storm of intestine conflict and the absorbing interest of domestic questions threw all issues and incidents of foreign policy, except the abortive scheme for the annexation of Cuba, entirely into the shade. But more than one important question deeply and per-



manently affecting the foreign relations of the United States had been settled during those seven eventful years. The Clayton-Bulwer treaty of 1850 pacified the mutual jealousies of England and the United States by a joint renunciation of all pretensions, present and future, to any sovereignty over Central America. The question had assumed an apparent importance in consequence of a projected canal, by way of the San Juan River, across Nicaragua; a scheme which, abandoned for more than thirty years, has been recently revived. But Great Britain had claimed for some two centuries a protectorate over the Mosquito Indians, an insignificant tribe of barbarians whose Territory marched with those of Honduras, Nicaragua, and Costa Rica. Lord Palmerston maintained that this protectorate was not renounced by the treaty of 1850, since in 1848 England had taken possession of Greytown, or San Juan, on behalf of her savage *protégés*, and since the language of the treaty spoke only of the 'occupation' of colonies or the exercise of 'dominion.' The United States contended that Greytown had been in the possession of Nicaragua, and that it had been recovered for the Mosquitos by British interference. The unfortunate town was destroyed by an American captain in 1854; and this violent and high-handed proceeding was popularly ascribed quite as much to international pique, and a desire to demonstrate the supremacy of the United States, as to the petty grievances of an American company which furnished the immediate pretext.

Again, in 1841, the superintendent of Belize, a British colony in the Bay of Honduras, had taken possession of the island of Ruatan and some neighbouring islets, and these in 1852 were formally organised as a British colony under the title of the Bay Islands. The American Government disregarded the fact of previous possession, and the claim of Great Britain that the establishment of a colonial government was a mere matter of internal administration; and demanded the restoration of the islands to Honduras and the abandonment of the Mosquito protectorate. The question remained long unsettled, a proposal for arbitration being rejected by the Government of

the United States. Meanwhile a much more signal violation of the treaty was committed by a party of American adventurers. In September 1855 Colonel Walker, at the head of some thirty filibusters, supported by some scores of native half-castes, interfered in one of the perpetual civil wars of Nicaragua, and after a complete victory established his *protégé* Rivas as President of the Republic. Rivas proceeded to annex the Mosquito Territory, and declared war on Costa Rica. In this war Rivas and Walker, reinforced by four hundred American adventurers, gained three signal victories over enormously superior Costa Rican forces. But Walker quarrelled with the American Transportation Company, in whose interest and with whose support the expedition appears to have been undertaken. Abandoned and opposed by them, he was ultimately overpowered, and in August 1857 the last of his adherents made their escape to New York.

From 1850 to 1860 the foreign policy of the Union and the enterprises of its more speculative capitalists, equally with such attempts as Walker's, were animated by the desire to secure the control of the most convenient route between California and the Atlantic States. The Panama Railway was a speculation of this kind, rendering the protectorate of the Territory through which it passed a legitimate object of American diplomacy. The gold discoveries, the rapid development of California, the growing importance of the Pacific Coast, stimulated the ambition alike of speculators, politicians, and engineers. The constantly increasing traffic between the East and West rendered the control of its temporary routes an object of national importance. But it was obvious that American enterprise and policy would in the end be satisfied with nothing less than a direct line wholly within American territory. The vast distances, the uninhabited and barren deserts of the interior, the lofty passes and impracticable ravines of the Rocky Mountains, interposed obstacles such as European engineers had never confronted, never dreamed of overcoming, till, after the close of this history, the success of the Union Pacific Railway demonstrated the power of human

energy and invention to subdue the most formidable resistance that nature could offer. Three lines of railway now connect the great cities and harbours of the Atlantic and Pacific States. With the completion of the first of these the Central American route sank, as far as the United States were concerned, into insignificance. The transit across the Isthmus became an international object, in which Europe, and especially England, was chiefly interested. American commerce has found a nearer and safer channel, and has surrendered to the national pride and engineering ambition of France the construction and control of the canal by which the two oceans are one day to be connected. That canal will shorten by one-third the practical distance between England and the Indies—will, if successful, be the future route of the vast traffic between Western Europe and Eastern Asia; but hardly convey a single passenger or a single bale of goods from Baltimore to San Francisco, or from New York to the growing ports of Oregon. The United States are less interested in the development of Central American resources, the political and social future of the Isthmus, than the new commercial states of the Mediterranean or the problematic empire of France in Indo-China.

## CHAPTER IX.

## 'UNCLE TOM.'

**Its Opportuneness—Reasons of its Popularity—Dramatised—Essential Falseness of the whole Picture—Note on the Realities of the Subject.**

THE development of a nation's literature is an important part of its history ; but once only in the annals of mankind has the publication of a single book, and that book a mere work of fiction, marked and largely contributed to the crisis of a great political contest. In the latter half of 1852, in the midst of the Presidential campaign, appeared a picture of plantation life and Southern society—professing to trace the actual working of slavery, its influence on the character and fortunes of master and slave—by a hitherto almost unknown authoress. Brought up in New England, the writer had but little knowledge and less experience of the society she undertook to describe, of the institutions and the people among whom her scene was laid. Setting aside books that belong to an immeasurably higher grade, with which it would be ridiculous to compare the clumsy, polemical caricatures of Mrs. Stowe, no work of fiction of the same order has taken a deeper hold of the popular imagination—has become a greater favourite with the many, especially with children, and with the classes whose narrow experience, limited interests, child-like simplicity and credulous fancy assimilate their literary tastes to those of childhood. Never was publication so exactly opportune, taking the tide of public feeling on the turn. The current of conscientious Unionism, respect for plighted faith, that had followed the powerful and unanswerable appeals of Clay and Webster, the ebb of sectional excitement following on

the supposed settlement, had spent its force. The fierce reflux of anti-Southern passion had but just begun—still felt a need of excuse, or of such incentives as might dispense with excuse. The story appealed at once to the best and worst passions of the largest reading public in the world; swept aside the considerations that divided and bewildered them; ignored all they wished to forget, presented powerfully the view they wished to take. It kept their faults studiously out of sight, and misrepresented the position of the adversary with the utmost ingenuity of party advocacy. It supplied the Northern reaction with the stimulants it needed; satisfied the want of the moment, consciously or unconsciously felt by those who wished to shake off the hampering doubts, the undeniable obligations, the awkward sense of conflicting rights and duties, that checked the indulgence of their rising impulse. It gave the Northern masses a popular passionate statement of their case, deliberately ignoring the claims reluctantly acknowledged by jurists and divines, statesmen and moralists. The Fugitive Slave Law was equally odious to their private and binding upon their political conscience. They wanted a plea which would enable the former to choke the voice of the latter.

Their story was dramatised and the fugitive slaves were represented by a skilled actor and actress of pure white blood and Northern education. They exhibited to an excited and sympathetic audience, *not* half-breed runaways from slavery, but an Anglo-Saxon husband and wife, father and mother, bred in freedom and only now threatened with enslavement. Such a case—falsely represented as that of the real fugitive—came home to the heart of the coldest and most indifferent spectator as that of actual runaways with half-negro features, with the manners, feelings, language, and ideas of born bondsmen and bondswomen, could never have done. Uncle Tom was a *possible* negro; the result of a peculiar religious teaching, of a literal faith in the maxims of the Gospel as interpreted by orthodox Unitarianism, acting on a simple, impulsive, affectionate and submissive nature, idealized to the utmost. Every character in his part of the story was possible—not,

however possible with the training and surroundings ascribed to them. The selfish, shiftless, well-meaning, unprincipled Shelby; the listless, dreaming, unconscientious infidel St. Clair; his heartless, worthless wife; the brutal Legree; the unsympathetic, hard, practical, semi-Puritan Ophelia, with her theoretical pity and instinctive loathing for the black child, whose very touch she would not bear; the fiery, resolute, unscrupulous Alfred—might all have been found in Southern society. But the story is none the less false, the picture none the less a monstrous caricature. Not one of the characters is common, much less representative. No single type of the average Southerner—no conscientious, benevolent, vigilant master, sensible of his tremendous responsibility and hardly less anxious to do his duty by his slaves than to exact the service and obedience due to him; in a word, no Southern Christian and gentleman—is to be found in the book. In 'Uncle Tom' and 'Dred,' works avowedly controversial, studiously odious caricatures of conceivable pro-slavery statements are put into the mouths of Southern clergymen, planters, and politicians; the real arguments with which Mrs. Stowe could hardly help being familiar—which she heard from Northern lips and read in Northern newspapers—are totally suppressed. No one would learn from 'Uncle Tom's Cabin' that characters like Lee's and Taylor's, views like Calhoun's and Davis's ever existed; that any slave-owner defended slavery as the best thing possible under the circumstances; much less that the greatest leader of the South maintained it to be a positive good.

But the popularity of the book was not wholly dependent upon the anti-slavery element. It appealed skilfully to religious and sectarian prejudices, especially those of the most numerous class of English-speaking 'Evangelicals.' Above all, it was the one fiction permitted to the youth of those stricter dissenting families who might be numbered by hundreds of thousands in Great Britain and by millions in the United States. Its political purpose, its religious tone and language, the fact that it contained no love story, over-

came the scruples which banished Cooper's and Marryat's novels from the family library, which kept even Scott under lock and key, anathematised Bulwer, and expurgated Dickens's Christmas stories for schoolroom reading.

---

*NOTE.*

The Northern and Republican historian of the war, the arch-apologist of the Northern cause in its worst aspects, admits that the South confidently relied on the loyalty of the negro, and that her expectation was on the whole fully justified by the experiences of the war; that till the Northern armies swept the plantations—it must be added, always strove to enlist the negroes, incited them to outrage, and often carried them away by force—they remained faithful and obedient. He claims that many Northern prisoners were helped to escape by slaves, that fugitive slaves proved reliable informers and trustworthy spies. It is more certain that many and many a slave risked death by Yankee rope or rifle for a master in the Confederate army, and this even when the Confederate cause was notoriously hopeless. The temperament of the African, gentle and compliant under kindly discipline, fully accounts for the charities received by Northern soldiers; his mobile and excitable temper, the savage passions easily roused in him by the superior race, for the number of slaves and freedmen persuaded or forced into the Northern service. Except the half-castes and that exceptional minority of Africans, too intelligent to be content in slavery, or maddened by brutal usage, to which the fugitive slaves of the days prior to the war belonged, there was no Northern party among the bondsmen of the South. When actually and individually reached by the invading armies, for one man who took arms at their instigation a dozen hung on their camps, loitered, pilfered, starved, perished of want, exposure, and pestilence from sheer indolence. Not one negro in ten would work hard if he could help it. They worked no better and no more willingly for Northern pay than under Southern compulsion. Bitter partisans like Draper, ruthless soldiers like Sherman, who expressed a desire to massacre the whole male population of the South rather than concede their independence, admit that the household slaves at least were thoroughly well treated.<sup>1</sup> Admissions fatal to the whole case of Abolitionism regarding the treatment of the slaves may be found

<sup>1</sup> Draper, vol. ii. p. 99. Sherman, vol. i. p. 149.

here and there, involuntarily extorted by the personal experience of passionate and obstinate partisans. Dr. Draper bears emphatic testimony to the conduct of Southern ladies, ascribing to them exclusively, in his bitter hatred of the Southern clergy, the thorough Christianisation of the negroes. The white mistress, he says, 'took an active interest in the eternal well-being of those who were cast upon her hands' (plantation as well as household slaves), 'administered consolation to the aged, the sick, and the dying, and imparted religious instruction to the young. The annals of modern missionary exertion offer no parallel success.' This is an unconscious and reluctant but conclusive testimony to the devotion of the clergy and the character of the planters. The women of every society are what the men make them.

One point requires to be borne carefully in mind in judging the effect of slavery on the fortunes of the negro race: the indelible badge of alienage and inferiority stamped upon them by colour and features. This rendered the absorption of the freedmen impossible, and the existence of a large class of 'free negroes' in a Slave State a social and political anomaly, a source of actual evil and possible danger. Roman slavery was incomparably worse than that of the South, and the fate of the great mass of Roman slaves was quite as hopeless as that of the lowest negroes. But for the higher order of slaves, especially for those intimately associated with their master and his family, emancipation was probable and easy. The freedman was a denizen, and his children might be citizens. Emancipation was common in the South, as the large free black population of 1860 proves. The freedman moreover was, like his Roman analogue, his master's client: he had a protector; he was not left to starve or become a burden on the public or relapse into slavery. His condition was incomparably better in the South than in the North, where his class were aliens, loathed, despised, and ill-used by the lowest whites, and virtually unprotected by the law. But the number of freedmen was great enough to be dangerous, and hence Southern law discouraged and hampered emancipation. It was well that a master could not free his slave without providing for him; it was a great evil that emancipation by will was in several States rendered all but impossible. The law worked very harshly in the case of the mixed or 'coloured' race. A man had no little difficulty in freeing at his death a quadroon mistress—wife she could not be—or her children, and in some States he could hardly manage to bequeath his property to them. Cases like those so often found in fiction, where girls nurtured in freedom and



refinement are sold as slaves on their father's death or insolvency, were unknown in real Southern life; they are taken, I suspect, from West Indian experience and tradition. But I believe that one such case did occur, and in the whole history of Southern slavery there may have been one or two more. Southern readers of a story in which the case was treated as almost unprecedented, unhesitatingly assured me that within their experience it *could not* have happened. The feeling of the public would not have endured it; the bidders would have been restrained by fear, and the girls redeemed at reasonable prices. Apart from such horrors, however, there can be no doubt that, after Abolitionist outrage and negro outbreaks excited thereby had exasperated Southern feeling, emancipation became rarer and more uncertain.

There was in the South none of that hatred and loathing for the negro which characterised the North. But neither in South nor North would men of sense and sound instinct tolerate the co-education of white and negro girls, or the disgusting spectacle of white women hanging on the arms of blacks in public, with which Garrison deliberately outraged the instincts of his countrymen on the only occasion on which he was ever 'within measurable distance' of lynch law. Nor, were there a considerable negro element in London or Liverpool, do I think that the association of white and negro children—especially female children—or of black men and white women, would long be tolerated by English instinct.

## CHAPTER X.

### PIERCE'S GOVERNMENT—THE KANSAS-NEBRASKA BILLS.

*Failure of the Compromise—Schemes of Annexation—Irresolution of the Cabinet—Douglas's Nebraska Bill—Its Studied Ambiguity—Squatter Sovereignty—Rendition of Burns.*

IF the Fugitive Slave Law had ever been a practical reality, Mrs. Stowe's book might claim, as her admirers boasted, to have repealed it. Argument was silenced, public faith howled down, political principle, patriotism, and practical prudence swept away by passions which found articulate expression, a written creed, a popular manifesto, a serviceable definition in 'Uncle Tom's Cabin.' The storm of anti-slavery demonstration, the tempest of invective, denunciation, and menace which swept the North, the counterblast of indignation and resentment provoked in the South, terrified politicians who had inherited from Clay, Calhoun, and Webster the traditions of a mightier generation, the task of 'saving the Union.' Now for the first time their very object was called in question. That the Union was worth saving was openly denied by thousands: that it could be saved was inwardly doubted by millions. For the first time the alternative to which the hypothetical answer had been given in Calhoun's dying speech—the choice between slavery and Union, submission and secession—was forced upon the mind of the South as an imminent reality.

There had been at one moment a very general disposition to accept the so-called Compromise of 1850 as a real settlement. The North had gained so vast a substantial advantage; the South seemed to have saved her dignity and self-respect. A settlement of the actual issues of the day it might have been. In the irrepressible conflict proclaimed by Seward, recognised

by Calhoun, and waged with ever-increasing determination by the extreme parties on both sides, it could at least be an armistice; and events soon proved that even an armistice was impossible. The Sumners, Greeleys, Chases, and Garrisons would hear of no truce with slavery. The defenders of Southern rights were forced to feel that no peace was to be permitted them. They had to fight with an ever-growing party avowedly bent on their ruin. The question of secession was raised in South Carolina and Mississippi; but the time was not ripe for such a movement. Quitman, its boldest and most outspoken leader, was compelled to withdraw from the contest for the Governorship of Mississippi in favour of Jefferson Davis, who, reluctantly avowing that secession might become a necessity, regarded it as a last resort, not to be contemplated or threatened while a hope remained that the South could defend herself and her rights within the Union. Quitman and Troup of South Carolina formally admitted the decisive character of their defeat.

Equally complete, however, was the failure of the last 'Compromise' attempted in the name and in the spirit of union. The construction of Pierce's Cabinet and the comments it provoked showed that, while the cohesion of the Whig party had been completely shattered, that of the Democrats was only maintained by adroitly-worded agreements meant but to cover a radical divergence. The ambiguity of these verbal compacts was their sole merit; they were possible and useful only because their terms admitted of a double interpretation, and enabled each section to deny that it had yielded the point at issue. Marcy, now Secretary of State, represented the Northern wing of the party, whose last word was presently to be spoken; who had found it hopeless to bring their constituents even half-way to the position of the Southern Democracy represented by Jefferson Davis. As Secretary for War, nothing would induce the latter to forego the Southern claim to an equal enjoyment or an equal division of the Territories. Nothing would now persuade the Democracy of the North and West to listen to either. The Attorney-

General, Caleb Cushing, was a typical trimmer and time-server; a 'Northern man with Southern principles' so long as Southern principles could be made *in any wise* compatible with Northern votes. The Democracy of Marcy's own State was divided. The 'Hard' and 'Soft' factions [thoroughgoing and half-hearted on the slavery question] hated one another as bitterly and differed as widely as Democrats and Whigs.

Between his colleagues and his constituents, the traditions of the party, and the present opinions of its Northern section, the course of the Minister charged with the foreign policy of the United States was vacillating, irresolute, and necessarily ineffective. The Government was bent on the acquisition of Cuba, by force or favour, by menace or by purchase. But Marcy, frightened by the protests and the divisions of his supporters in New York, always halted at the critical moment. He went far enough mortally to offend the pride of Spain, to provoke the anxiety of France and England, to violate every rule of diplomatic decorum, every principle of international law; far enough to revolt the conscience of the North; but not far enough to serve the interests or satisfy the expectations of the South. The Spanish authorities showed a temper, acted with an imprudence which afforded a pretext for American threats and pressure—a pretext of which the President and the Cabinet at large were inclined to avail themselves. But Marcy's half-heartedness effectually thwarted a policy which could only derive a chance of success from the most determined and stringent measures. Rules practically obsolete were revived at Havannah to embarrass and oppress the American coasting trade. The wrongs of the United States were made the basis of proposals for the settlement of all disputes by the purchase of Cuba. The Cabinet at Washington believed, or pretended to believe, that Spain was about to 'Africanise' the island, whether by the abolition of slavery or by the introduction of indented negro labourers; and intimated that any such measure would be so dangerous to the interests and security of America as to justify and compel her interference. It was instantly obvious that Spain would not sell except under the

most stringent coercion, and would be supported in her refusal by France and England.

In the autumn of 1854, the representatives of America at the Courts of St. James's, the Tuileries, and the Escorial held a conference at Ostend on the means of forcing Spain to part with the most cherished of her colonial possessions. This open menace, which inflamed the resentment of Spain to the uttermost, outraged the public opinion of Europe and disgusted the moderate and scrupulous classes of the United States. The deterioration of American statesmanship could not have been more strikingly exhibited. Clay, Calhoun, or Webster might have entertained the idea of annexation, as they had entertained schemes hardly more scrupulous; but they would have recognised after the first refusal that they must either frankly forego the end or boldly adopt the sole available means; that Cuba could be obtained only by war; and that in such a war of unprovoked aggression the United States could not be sure of having to deal with Spain alone. The policy of Pierce placed his country before the world in an attitude equally hateful and contemptible; his blustering demeanour and bullying tone ended in ignominious collapse and humiliating failure.

In Congress, the incapacity of the new Democratic leaders was, if possible, yet more signally illustrated. The time had come when the working of the Missouri Compromise was to be put to a test which might have been foreseen from the first, and if foreseen must have stamped it as utterly impracticable. An agreement whose effect was to surround the new Slave State of Missouri with free Territories, to render it a Southern *enclave* in the very heart of the North, must break down as soon as it began to work. A settlement which unsettled its one immediate result, whose provision for the future must inevitably disestablish the one thing established in the present—the existence of slavery in Missouri—was a contradiction in terms. It had been adopted in spite of Southern protests, because, like most political compromises, it simply postponed the inevitable for an indefinite period. It had worked so far

smoothly and successfully where it worked in favour of the North, because the Free States it created were remote from the frontiers of slavery, which never acquired a firm hold in the northern counties of Missouri. But now the country lying along her whole western frontier was to receive a Territorial government. Senator Douglas astonished Congress and the country by announcing that the Compromise Acts of 1850 had—tacitly and at unawares—repealed the elder Missouri Compromise of 1820; but this was a matter of no great moment, for a very small part of the Territory in question had been at the earlier date in possession of the Union. When the Pact of 1820 was finally ratified, the Union had no considerable territory south of  $36^{\circ} 30'$ , except Arkansas and Florida; which, apart from any law or bargain, belonged to the South as certainly and necessarily as Michigan and Wisconsin to the North. It was only when the Treaty of Guadalupe Hidalgo added to the Union the vast regions of New Mexico, Utah, and California<sup>1</sup> that the compromise assumed a practical aspect. The South had then claimed the spirit of the compact, had proposed to extend the border line to the Pacific. That offer the North had peremptorily refused. That refusal, and the admission of California as a Free State, obviously released the South from a bargain of which she had been refused the benefit as soon as it could avail her. In refusing to permit the organisation of a Free Territory along the whole of her western frontier, Missouri was acting purely in self-defence. It meant the confiscation of her most valuable property—a property expressly guaranteed by the Constitution and by the law of 1820. In such confiscation neither she nor her sister States of the South could be expected to acquiesce.

But it was not by the South or by Missouri that the question was raised. The Kansas-Nebraska Bills of January 1854 were introduced in both Houses by the Northern Chairmen of the Standing Committees on the Territories. The author

<sup>1</sup> Including Arizona, Colorado, Nevada, and in general all the country west of Arkansas and south of  $42^{\circ}$  N.L.

of the measure in its original form, the leader of its supporters throughout a contest of almost unparalleled obstinacy and violence, the resurrectionist of the doctrine on which it was based—that doctrine of ‘squatter sovereignty’ so contemptuously laughed into annihilation by Calhoun—was Stephen A. Douglas of Illinois, the leader of the Northern Democrats. The Bill as first laid before the Senate did not contain the critical 21st Section, but as finally printed on January 10, that section, which, as Douglas alleged, had been omitted by the carelessness of the copyist, was added. That a copyist should have made such a mistake—should have stopped short with the penultimate clause of the Bill, and omitted its concluding portion—was obviously in the last degree improbable. And the demand made on the courtesy or credulity of the Senate was aggravated by the striking character of the omitted (or added) section. That section contained a preamble declaring it to be the true meaning and intention of the Act to carry into practical operation the principles established by the Compromise of 1850. Those principles were laid down in a form wholly new to many, probably to most, by whose votes that Compromise had been carried. All questions pertaining to slavery in the Territories, and in the new States to be formed out of them, were to be left to the decision of the residents therein through their appropriate representatives. All cases involving title to slaves were referred to the local tribunals, with an appeal, of course, to the Supreme Court; and the Fugitive Slave Law was to be enforced in the Territories as in the States.

It is necessary to observe carefully the wording of these propositions, because a question of the highest Constitutional and practical importance depended on their construction. At what time, and *in what stage* of their constitutional being, were the residents of the Territories to pronounce upon the admission or exclusion of slavery? Who were the ‘appropriate representatives’ to whom this momentous question was relegated? The members of the first Legislature assembled under the Territorial organisation, or those of the convention which—when the

Territory should have acquired a sufficient population—would have to frame its constitution and apply for its admission as a State? All precedent, all constitutional principle and usage pointed to the latter interpretation; the former was palpably monstrous. Constitutionally, the Territories were in *statu pupillari*. Practically, the population of a newly organised Territory was not a community, but a small number of incoherent adventurers without common political ideas or interests, alike unfit and disentitled to determine the character and govern the fortunes of the future State. Their choice must of necessity be a matter of chance. In the actual circumstances of Nebraska it was sure to be a scramble, eminently likely to be decided by a free fight. Yet if this were not the meaning of the Bill, what was to be the *status* of slavery during the Territorial existence of Nebraska, and why was the Act silent on that vital point? The letter of the clause appeared to refer this question to legal arbitrament. But as history and common sense, usage and constitutional principle alike indicated, the question was not legal but political; one which Congress had always determined at its discretion or by reference to previous compacts; had settled in favour of slavery or freedom, according to geographical and practical considerations. Virginia had expressly stipulated the permanent exclusion of slavery from the States to be formed between the Alleghanies and the Mississippi, the Ohio and the Lakes. In the case of Tennessee, North Carolina had made an exactly opposite stipulation. Slavery had existed in Florida and Arkansas, had been excluded from Iowa, during their Territorial pupillage, by the authority of Congress.

Moreover, no judicial decision could possibly be satisfactory. The Supreme Court, if it did not relegate the question to Congress, must determine absolutely and without reserve in favour of one or the other section, and must adopt one of two general propositions. It must declare that the Constitution recognised slavery only as a State institution resting on State law alone, or that the equal rights of the States in the common territory covered the claim of the Georgian or Caro-



linian slave-owner to carry his property into the Territories at large. Either conclusion must brand the institutions of half the States admitted since 1790 as illegal in origin, and half the Territorial legislation of sixty years as founded in usurpation. Douglas and his supporters were thoroughly worsted in debate, were beaten from one untenable position to another, driven to rely upon subtleties of which they themselves were half-ashamed. They commanded a majority, but that majority was only held together by the suppression at once of principles and intentions. The North was assured that squatter sovereignty must everywhere be hostile to slavery; the South that the judgment of the Supreme Court must protect slavery for the present, and that where once established it could hardly be expelled. In the course of the contest one half of the territory in dispute, under the name of Nebraska, was practically surrendered to the North. The Southern portion, bordering on the slave-holding Southern counties of Missouri, was to be separately organised as the Territory of Kansas; and for this the struggle was waged till, on May 30, 1854, the Bill received the signature of the President.

Almost at the same moment the arrest and condemnation of a fugitive slave excited to the utmost the Abolitionist sympathies of Massachusetts. The rescue of Anthony Burns by main force from the operation of the law and the custody of Federal troops was deliberately arranged, and failed only because the intemperate zeal of the more hot-headed conspirators anticipated the concerted signal. The prison was actually attacked, and one of the law-abiding citizens summoned to protect it was murdered by the Abolitionists. The city police, militia, marines, and regular troops—one-third, it is said, of the whole Federal army—were under arms; the streets were lined with soldiery, the Court House protected by cannon loaded with grape-shot. On the other hand, the party of resistance, apparently a large majority of the population, made a formal demonstration of mourning only less significant than the unprecedented spectacle of overwhelming military power arrayed to enforce the law. The houses were draped

in black, thousands of men and women decked with the emblems of bereavement crowded the windows, balconies, and pavements. Amid the parade as of a people oppressed by foreign force, recalling the days of the 'Boston massacre' and the British occupation, the victim was marched manacled to the port, and the bells of every church tolled as the Federal vessel reconveying the fugitive to bondage left the shore. The storm of anti-slavery and anti-national feeling found expression in curses such as a vanquished nation has seldom heaped upon the conqueror's standard.

' Tear down the flaunting lie,  
Half-mast the starry flag !  
Insult no sunny sky  
With hate's polluted rag ! '

## CHAPTER XI.

## A FALSE ISSUE.

Immigration—Romanism—Reaction; the Know-nothings—Their False Position towards Slavery—Their Dissolution—Sectional Contest for the Speakership—Formation of a Party on the Basis of Enmity to the South.

AN artificial issue superseded for a moment the paramount question upon which the feelings, convictions, and interests of the people were irreconcilably divided. For the last time a national question was propounded; an 'American' party raised a standard under which men of Northern and Southern birth and feeling might once more stand together, with a show of common purpose not veiling a double sense. In the elections of 1854 the Administration sustained a sudden and wholly unexpected defeat from a new opponent and on a novel issue. The Irish famine of 1847, the abortive European Revolutions of 1848-9, had given a new impulse to the westward movement of population. The character of the emigration was changed. It was no longer a handful of adventurers already half-denationalised, eager to cast in their lot with the country of their adoption, and easily absorbed. Irish fugitives from famine, pouring in by hundreds of thousands, resented the compulsion which had driven them from the homes to which their hearts still clung. German refugees from political oppression brought with them new ideas, alien passions, and corporate interests. The latter, attracted to the boundless prairies of the West, founded communities of their own, not assimilated by but assisting to form the character of a yet unorganised population; and, flinging their strength into the anti-slavery scale, they hastened the breach with the constitutional traditions they had never shared. The Irish, lingering with reverted eyes on the Eastern shores, swelling

the poverty, discontent, and squalor that always haunt the purlieux of great cities, hanging on the outskirts of civilisation, remained a separate, foreign, and dangerous element, antagonistic to the best traditions and highest interests of the community.

American instincts were alarmed by the intrusion of a power so alien and so disciplined ; and the alarm was aggravated by the extreme pretensions and rash avowals of the Catholic clergy. Upon two points of the deepest and most immediate significance, they put forward demands wholly new and exceedingly offensive to American ears. They denounced the common-school education which, to a people divided into a multitude of Protestant sects, seemed none the less unsectarian that it had naturally assumed a Protestant character. Not content with calling for the withdrawal of obnoxious books or heretical passages, the priests asserted their right to control the education of Catholic youth, demanded schools of their own, and when refused exerted their whole influence to secure the withdrawal of their flock from the 'godless' schools of the State. State laws inspired by the all-pervading spirit of Democracy, and quite accordant with the temper and practice of American Churches, vested the ownership and control of ecclesiastical property—of religious endowments, educational and charitable—in trustees appointed by the several congregations. Episcopal supremacy being, if not a dogma of faith, a fundamental principle of ecclesiastical polity, the Roman Catholic Bishops insisted that the whole property of the Church should be placed under their control. The States would have acquiesced in any cession voluntarily made by the congregations ; but many old Catholic organisations resisted, and appealed to the law, which promptly decided in their favour. The quarrel became so grave that the Pope deputed a prelate of high rank (in charge of a dignified mission elsewhere), invested with full Legatine authority, to settle it. This dignitary was received by the State and Federal authorities with the honours due to his diplomatic and spiritual rank, his function in the United States being informal. But

the recalcitrant congregations refused submission ; and the popular bigotry of the North broke forth in demonstrations at once inhospitable and indecent. The Envoy ignored with equal dignity and prudence affronts for which no satisfaction could have been obtained ; but his mission, the first open interference of the Papacy in the internal affairs of the American Church, and the pretensions to which it had given a formal sanction, provoked a formidable reaction.

The Know-nothings (so called from the words of their oath) were a secret order pledged to maintain the laws, traditions, and customs of America against the encroachments of Popery and the dictation of an ignorant, alien, and intrusive multitude. They were sworn to vote only for native candidates, to exclude foreigners, and even native Catholics, from Federal, State and municipal offices. After ten years of obscure and unnoticed action, they suddenly rose into factitious importance. The prevalence of corruption, jobbery, and misgovernment, the extent to which the municipal control of the great commercial cities had fallen into the hands of the worst class of demagogues, largely depending on the Irish vote, justly provoked and alarmed the more thoughtful, sober, and respectable citizens. Native pride revolted from foreign ascendancy, from the perversion of their traditions of democratic self-government by an organised alien element manipulated by ecclesiastical and political wire-pullers. The Know-nothing organisation furnished them with a rallying-point, and became the nucleus of a powerful political party, whose original platform proclaimed an absolute neutrality on the issues connected with slavery—a question too practical and too exciting to allow of neutrality. The Know-nothings, however, had no real hold upon the South. Even in Baltimore, there was no Irish element powerful enough to challenge that national pride which was stronger perhaps in the Slave than in the Free States, nor had any Catholic encroachments there provoked a Protestant reaction. Except in Maryland and Louisiana, the Church mustered at most a few scattered congregations ; and the descendants of Lord Baltimore's English refugees and of the French Catholics of

the Creole State formed a respected and influential minority in the hereditary aristocracy of their respective communities. Moreover, slavery had given to the South a leisured and cultivated upper class ; and the unbroken traditions, hereditary attachments, stability and solidarity of thought and interest, which characterised Southern society, with the obvious fact that they represented the dominant political ideas of the people, had preserved their political influence. The leadership which in the North had been usurped by professional politicians was in the South still retained by men of position, fortune, education, and local ascendancy.<sup>1</sup> Such an aristocracy was moved to contempt by the fantastic parade of oaths, passwords, ceremonies, and secrecy which had taken hold on the imagination of the Northern populace. Throughout the Southern States all the signs, rites, and secrets which distinguished the Know-nothings from other political organisations were dropped perforce, as utterly repugnant to the haughty manhood of the people and the natural good sense of the leaders. They were no longer an order, but a party ; and a party compelled to disown one of its two essential and distinctive tenets, while the other had no practical meaning south of Mason and Dixon's line.

<sup>1</sup> Judge Tourgee notes 'the influence of family position and social rank' as one of the most distinctive characteristics of the South. 'Every family there has its clientage, its followers who rally to its head as quickly, and with almost as unreasoning a faith, as the old Scottish clansmen summoned by the burning ("fiery") cross.' *A Fool's Errand*. This savours strongly of caricature ; the truth is that the Southern tradesmen, farmers, and the middle classes generally, like those of English counties and rural towns, were firmly attached to the 'old families' by traditional affection as well as by personal obligations and mutual kindness ; that the name of a Lee or a Hampton appealed to the memories, the feelings, the imagination, the hereditary confidence of a Virginian or South Carolinian like that of a Cavendish to those of North Lancashire, a Lowther or a Russell to those of Westmoreland and Bedfordshire. In the absence of titular rank, birth and family, not wealth or intellect, gave social position ; the aristocracy of the South, especially of Virginia and the Carolinas, was distinguished alike for simplicity, unostentatious hospitality, and gracious courtesy, and for that exclusiveness which necessarily characterises an aristocracy of birth under a democratic government which has renounced the power of recruiting it. Nothing but political service could secure for a man born outside the charmed circle a firm footing within it.

In the North, however, the native and Protestant cry was for the moment thoroughly popular. In the Eastern States and in some Western cities the Know-nothings swept the field. But their success provoked a rapid reaction. The Irish domination, the ecclesiastical pretensions, which had fired the American spirit, were, save in New York and a few other great commercial towns, a mere scarecrow. Above all, the vain attempt to reconcile irreconcilable views and parties upon a platform deliberately ignoring the paramount question of the day, was necessarily doomed to ignominious failure. The Order was forced to make a choice. Their fundamental principles and ruling ideas were essentially Conservative ; and the Council, in June 1855, drew up a declaration of neutrality which necessarily pledged it to the defensive side. The 12th section of the new programme, adopted at their instance by the party convention, pronounced that the 'American' party could not be held responsible for the action of Whigs and Democrats. The old parties had, by the systematic agitation of the slavery question, placed North and South in irreconcilable antagonism. As a remedy for that antagonism, the Know-nothings had nothing better to offer than the recognition of the existing laws as a final settlement ; and this with the fact before their eyes that these laws had brought them to the verge of civil war ; that the so-called settlement, or its sequel, the Nebraska Act, simply unsettled everything. The immediate result was the secession of twelve Northern States from the Know-nothing Convention—Massachusetts, New Hampshire, Vermont, Maine, Rhode Island, Connecticut, Ohio, Illinois, Indiana, Michigan, Wisconsin, and Iowa. Pennsylvania and New Jersey hesitated. The only Free States whose delegations fully accepted the 12th section were California and New York. The party had already sustained a crushing defeat in Virginia. The disruption was followed by several State elections, and the Know-nothings were successful only in the Border States of Kentucky and Maryland.

Popular reaction exercised, of course, a powerful influence on the Congress, which, elected in the autumn of 1854, as-

sembled for its first session in December 1855. The Democrats, who had to a great extent recovered their position in the country, were a minority in the House of Representatives; but the Opposition was composed of several incoherent sections without a common purpose, none of which at first possessed such separate organisation as might have made alliance, compromise, or co-operation practicable. Nothing could be done till the Speaker had been elected, and the standing orders required for his election an absolute majority of the total vote. Even the Democrats were at first divided, but their connection with the Administration gave them a rallying point. The main body were firmly united upon the old Conservative platform, the minority were accustomed to concession or compromise; and the whole party presently combined to support Richardson—Douglas's lieutenant in the Kansas struggle—as the 'regular' candidate. One hundred and thirteen votes were necessary to a choice, and the Democrats commanded more than a hundred; while they believed that in the last resort the Southern Know-nothings would join their standard rather than that of the Opposition. The protracted struggle cleared the views and prospects of the disunited majority; their only possible standard was that of 'Free-soil,' or, more accurately speaking, of antagonism to the South. Not that the sincere 'friends of freedom,' as Chase described them, were united; perhaps hardly a dozen among them could have agreed to what point their hostility to slavery could properly or prudently be pressed. Many of the Opposition were *not* 'friends of freedom;' but the Northerners least inclined to anti-slavery counsels knew that resistance to Southern pretensions was in favour with their constituents. The people were blind to a danger that became daily more and more obvious to the politicians, the danger of dividing parties finally and definitely on the geographical line. To this everything was tending; this, the union of Abolitionists, Free-soilers, Northern Whigs, Know-nothings and recalcitrant Democrats upon a sectional issue must finally accomplish.

The formal organisation of the recognised parties was as



yet distinctly national; but upon sectional questions, upon every issue which touched the interests of slavery—and there was no issue of importance in which those interests were not directly involved—the ties of party yielded to the force of sectional feeling. The Democrats alone were true to their colours; and the Democrats had maintained their union only by yielding to the representations of the minority, and allowing themselves to be dragged by Douglas and his Northern followers on to ground constitutionally unsound, politically unsafe, and, as every day's news from Kansas more and more clearly showed, practically untenable. They took their stand not on a principle but a formula—'non-intervention'—which covered two incompatible interpretations. The Territories were to be Free-soil or Pro-slavery as they chose—but *when* were they to choose? This vital point was kept open. The Whigs were yet more deeply divided, the Northern and Southern fractions taking diametrically opposite views upon the leading and pressing question of the hour. The demonstrated unpopularity of the Know-nothings hastened *their* inevitable disruption.

The contest for the Speakership, the disorganisation of the House, lasted for two months; and it was not till February 2, 1856, that Mr. Samuel Smith, a Tennessean Democrat, moved on the 129th ballot that, if three further ballots should produce no result, the Standing Order requiring an absolute majority should be set aside. The motion was adopted, and upon the 133rd ballot N. P. Banks, the candidate of the 'friends of freedom,' received 103 votes against 100 given to Aiken, who had been adopted as the second choice of the Democrats, and eleven 'scattering' votes. The division was significant, but less significant than the protracted conflict. The result proved that there no longer existed a majority; that the strongest coherent party was still that of the Democrats, and that they could only command on a strict party vote 100 members in a House of 225. The conflict had shown that all other ties, traditions, and interests were secondary to the dissolving force of sectionalism. This struggle, therefore,

was the first decisive step towards disunion. The organisation of a Northern party upon an anti-slavery platform—pre-signified by the union of the Congressional Opposition—meant a life and death contest in the coming autumn, to be renewed every fourth year, in which the equality, the honour, the safety, the property, the political existence of the fifteen Slave States would be at stake. This was obviously the beginning of the end of the Union, as a voluntary combination of Sovereign States. Even in 1856 few men dreamed, still fewer dared to talk, of a Union based, as it has been based since 1865, upon military compulsion. The mere irritation and exasperation of repeated attacks, even should they be invariably repelled, was intolerable, worse than the worst apparent consequences of formal disunion. The victory of a sectional party, the ascendancy in Congress, the seizure of the Executive Power, by a faction in which the South *was not represented*, would leave her no choice but between secession and subjugation. It mattered nothing that the subjugation would be effected by brute ballots instead of brute force, effected under perverted Constitutional forms. To subjugation—to an alien and hostile rule—no high-spirited, sensitive, self-respecting people has ever submitted, no community numbering six millions of freemen ever will submit, till the spirit of freemen has departed, without an appeal to the sword. And such an appeal can be decided only when the stronger party is weary of loss, waste, bloodshed, and defeat, or the weaker drained to the last shilling and the last drop of blood.

The conflict was precipitated by the mutual ignorance of the contending parties. The North was convinced that the South could not and dared not secede; the South, that the North would never press her to that last alternative; that secession would not mean war; that in civil war her inferiority in numbers would be compensated by superior discipline, unity, energy, and courage, and above all by the enormous inequality of the stake—the fact that the North would be fighting for empire and the South for existence. Already an invitation had gone forth to Northern States alone to send

delegates to a convention which should organise a so-called 'National' Republican party on an anti-national basis—a party from which fifteen States of the Union were as a matter of course excluded, and which, therefore, must, if victorious, rule them as hostile and conquered provinces.

## CHAPTER XII.

## KANSAS—THE SWORD DRAWN.

**The Scramble—Emigrant Aid Societies—Missourian Reprisals—Anarchy and Civil War—The Free-soilers Disciplined Invaders—Reciprocal Crimes—The President's Message—The Republican Platform Declares War on the South—The Example of California.**

THE contest for the Speakership had postponed for nearly two months a document anxiously awaited by both parties, the Message which should set forth the President's views of what was passing in Kansas. Douglas's ambiguous doctrine of squatter sovereignty had produced its obvious and only possible consequence. The Act which had called that Territory into political existence could never have been passed but for the exactly opposite construction placed upon it by its Northern advocates and their Southern allies. This ambiguity, carefully preserved in the Kansas-Nebraska bills and the language of Douglas through months of debate, produced the effect which might have been foreseen from the open adoption of 'squatter sovereignty' itself—a scrambling race for possession, inevitably ending in a fight.

Almost before the Act was passed, Emigrant Aid Societies had been organised in Massachusetts, and had spread throughout New England and great part of the North. Their prospectus did not mention Kansas, much less the means by which Kansas was to be appropriated. The partisan committee which afterwards enquired into the matter laid great stress on the fact that they had not required any pledges, and that no charge for arms or ammunition was to be found in their accounts. None the less, their emigrants were fierce anti-slavery partisans or mere rowdies. They went armed,

prepared and intending to fight.<sup>1</sup> Their antagonists were belied if they were one whit more scrupulous. The Northern emigrants were, from the necessity of the case, actual though not *bonâ-fide* settlers. Their adversaries came from the border counties of Missouri, and, having their homes at hand, were not careful upon this point of form. Morally, both parties were exactly on a par. Politically, the Missourians had at the outset the better case. They claimed that the spirit of the Act dividing the Territory and giving Nebraska to the North, following exactly the precedent of the Missouri Compromise, had assigned Kansas to the South. Of the *bonâ-fide* settlers, some six or eight thousand in number, three-fifths were of Southern birth. Therefore, both in regard to their own security, imperilled by the plantation of an asylum for fugitive slaves at their back door, and the wishes of the real population of Kansas, the Missourians were acting on the defensive; the Free-soilers were mere aggressors.

But the real guilt rested with those who had deliberately and consciously thrown Kansas as a prey to the party which should be first to seize it. Douglas can hardly have supposed that the North would, or that the South could, stand inactive in the scramble and leave the future character of Kansas to be settled by chance. At the original elections the 'Border Ruffians' of Missouri, having a start of a thousand miles, won the first heat. District after district cast twice or thrice as many votes as there were legal voters on the register. Of the latter about one-half voted, and of these a narrow majority cast their votes for the successful Pro-slavery candidates. Governor Reeder, the President's nominee, denounced the intrusion with a vigour that refuted all imputations on the good faith of his chief. But, allowing only five days for the reception of election petitions in a wild country and anarchical society, he granted certificates to the successful candidates

<sup>1</sup> Von Holst, 1854-56, cap. iii. This is almost the sole case in which Von Holst in his violent partisanship has misstated or misrepresented facts. But to those who read between the lines, even his account of the Emigrant Aid Societies reveals their character and fixes on them the priority of aggression.

whose return was not challenged within that period. Thus the Missourian intruders obtained an overwhelming majority in the Legislature ; and the latter, when constituted, became the sole judge of the returns. Its first act was to adjourn to a more convenient meeting-place, Shawnee. Reeder picked a quarrel on this point, which was so clearly within the sole competence of the Legislature that he must have determined to break with them on any pretext. He speedily found that neutrality was impossible, and threw himself into the arms of the Free-soil Ruffians, whose force was concentrated at Lawrence.

All parties proceeded with all possible haste and violence to put themselves, beyond hope or doubt, legally and morally in the wrong. The Shawnee Legislature hurried through the forms of law-making necessary to root slavery formally and deeply in the provisional institutions of Kansas. In their eagerness, they afforded an amusing illustration of the proverbial distinction between haste and speed. They passed in a few weeks such a mass of statutes, public and private, as could hardly have been written or read aloud, much less considered, in the time. The hurry of the over-worked printers betrayed the secret of such prolific diligence. When the Code appeared, it turned out to be a simple reprint of the laws of Missouri, so perfect that in many places the word 'State' had been retained where Territory should have been substituted. But the legislators added to the Missouri slave-code some special devices of their own, so stringent that Senator Clayton of Delaware exclaimed, 'Under the laws of Kansas, J. C. Calhoun himself could not have escaped the Penitentiary !' They imposed upon officials and even voters tests unknown in other Slave States or Territories, and utterly repugnant to American usage. The 'Organic Statute' was the foundation of all law, order, and authority in Kansas. That the obligation to give up fugitive slaves and criminals applied to the Territories, though the Constitution, framed before a single organised Territory existed, spoke only of States, was obvious. But an oath to uphold the former seemed invidious ; and when the latter was added, the purpose of dis-

franchising the Free-soilers was obvious. Proscription, unsupported by force or terror, always recoils on its authors.

These extravagances gave the better disciplined 'ruffians' from New England and their wily chiefs exactly what they needed, an excuse for repudiating the law, for separate organisation, withdrawal from the polls, and other extremities directly tending to civil war. They went so far as to hold illegal elections of their own, to choose a Governor and so-called Legislature, and even to claim for Kansas admission as a State under a 'Constitution' of their own device. But long before they reached this last extravagance the Territory was in a state of civil war. Brawls led to bloodshed; the execution of the law was resisted by armed mobs, and could only be enforced by a partisan Militia. Reeder had been removed on a charge of fraudulent speculation; his successor, Governor Shannon, made a vigorous effort to enforce the law, and called in the Federal troops. But the dragoons stationed in the Territory were commanded by Colonel Sumner, a vehement partisan, confident in the personal and party interest he commanded. He refused to comply with the Governor's call, disobeyed the instructions of the Secretary of War, and evaded the direct orders of the President, until the mutual exasperation and reciprocal outrages of the contending factions had left not laws to be enforced but rebellion to be quelled and anarchy to be repressed. The Border Ruffians, though led by an ex-Senator of the United States, had never been more than an armed mob; the Southern majority of *bonâ-fide* settlers were demoralised by their association; and the so-called Militia consisted in such large part of mere intruders that it lost the advantage of legality, broke loose from control, and terrified the very Government that rested on its support. The Free-soil Ruffians, equally lawless, came in organised bodies under the guidance of a few skilful and well-advised political chiefs, who knew how to present their story and how to act a story that could be plausibly presented. They had the advantage of discipline, comparative coolness, and unlimited resources; their ready-made battalions were leavened by enthusiasts of Puritan descent and

temper ; true children of the Calvinist crusaders who consecrated the gifts of the Fiend to the service of God, and indulged the worst passions of humanity—gloomy ferocity, savage hatred, and ruthless cruelty—under the mask of zeal for any cause they chanced to favour and chose to christen by a sacred name. Man for man, the Missourians afterwards proved themselves superior ; but in Kansas they had degenerated into a drunken disorderly banditti before they were matched against half-seasoned, organised, and well-commanded Irregulars.

Open hostilities commenced with a midnight assassination ; the victim being a sheriff who had tried to execute a warrant of arrest in Lawrence, the Free-soil head-quarters ; the murderer a Free-soiler, whom his party repudiated but made no attempt to detect or punish. The first serious act of war was the surprise and deliberate butchery in cold blood of a body of Pro-slavery men at Pottawattomie, upon no better pretence than that some of their number had warned the afterwards notorious Free-soil Ruffian John Brown to leave the Territory, and 'insulted' his family. The Border Ruffians swept the counties nearest to Missouri, robbing, beating, and occasionally murdering. Their rivals from New England acted with much more steadiness and concentrated purpose, under desperadoes like John Brown and Robinson of Lawrence, shed blood with equal recklessness and much more purposelike determination. Lawrence was entered and pillaged by the former. An organised battalion of Free-soilers from Iowa, under a leader named Lane, invaded Kansas, stormed the town of Franklin and plundered the post-office.

Sumner had done his work ; had prevented the enforcement of the law, such as it was, against his friends till all pretence of law had been cast to the winds, and all that his superior, General Smith, could do was to interpose the Federal troops between the contending factions. The responsible leaders of the South repudiated Missourian violence and outrage ; the worst crimes of John Brown and his associates did not deprive them of the energetic and unflinching support of their Northern allies and employers. The cause of the former was, in



form at least, that of the recognised Legislature and established law of Kansas. The Free-soilers were legally and formally rebels. But Shannon, bent on the restoration of some sort of law and order, was forced to negotiate with those against whom he had lately invoked the support of Federal troops, as the only local party which could answer for the obedience of its followers.

In the midst of this ferocious if not very sanguinary conflict the President's Message, irresolute and half-hearted as had been throughout the policy of the Government, insisting upon a law founded upon illegality, applying the technical forms of civil and the restraints of constitutional government to a country where there was and had long been no rule but that of force, simply exasperated the quarrel. The Free-soil majority of the House, under the guidance of Banks, appointed a Committee of Three, one of whom was a strong, but, as his language on the subject showed, a sober representative of the Pro-slavery feeling of Missouri, and the other two passionate and thorough-going Free-soilers, to investigate on the spot the Kansas troubles. The 'majority report,' of course, was simply a violent statement of the Free-soilers' party case. Nothing was to be hoped from the debates of exasperated sectional politicians, at whose instance their countrymen were engaged in open civil war.

On February 22, 1856, the birthday of Washington, a convention summoned by the Republican Committees of eight Northern States assembled at Pittsburg, Pa., and laid down a platform amounting to a declaration of war upon slavery and the South. The Republican leaders, beaten from the ground of the Constitution, had invented an utterly unheard-of theory whereby to nullify its plain decisive language. Into the Federal compact of 1789—the formal, carefully-expressed, accurately-drawn compromise, anxiously discussed in principle and detail by the chosen statesmen and jurists of America, closely and eagerly scrutinised, deliberately and solemnly ratified by the several States in their sovereign character—they presumed to read the loose phraseology, the declamatory

periods, the excited nonsense and unmeaning platitudes of Jefferson's silly Declaration of Independence ; an angry manifesto drawn in the tempestuous passion of an inchoate rebellion by the most extravagant of doctrinaires, and adopted, with an enemy at their gates, by a body which, whatever the misty halo cast around its memory by events in which it had little share, was regarded with almost unmixed contempt by those who heard it in debate and saw it in action. Men like Seward and Chase, versed alike in law and politics, masters of political controversy like Greeley, Sumner, and Weed, appealed from the Constitution to a prior authority as they had appealed to a higher law, only because they were well aware that by the Constitution the doctrines of their party were condemned in spirit and letter, in principle and detail.

No Federal sanction or support for slavery, no toleration of it save within the jurisdiction of the several States, no division of territory—*i.e.* the exclusion of half the States from all interest in the possessions of the Union ; the proscription of their institutions in the common capital, actually ceded by one of them, and in the centre of Slave-holding States ; no compromise, no recognition of legal or equitable rights on the part of the Southern States—such was the programme of a party whose very organisation was a formal conspiracy to exclude the South from political power and Federal privileges, whose triumph could only mean the disruption of the Union or the violent annihilation of the Constitution. How near the last extremity had been brought, the antagonistic demands of the two parties with regard to the immediate questions of the day might have indicated to any who were not obstinately blind and wilfully deaf to the significance of the facts forced on their eyes and ringing in their ears. The Republicans demanded the admission of Kansas as a State, under a Constitution framed by a gathering of Free-soilers, without either legal or popular warrant, known as the Topeka Convention ; and this years before the Territory could possibly have the population required to justify her enfranchisement ; demanded, in short, that a few thousand rowdies should be allowed not

only to govern the Territory at their discretion and to make it an asylum for stolen or fugitive Missourian negroes, but to neutralise the vote of Missouri, with her million of population, in the Senate. Douglas, on the other hand, introduced a measure practically recognising the Shawnee Legislature, postponing the decisive contest, and virtually maintaining slavery in the Territory till the requisite population should have been attained and the recognised Legislature should order the election of a legal convention. This meant the recognition for the present of the monstrous legislation of the Pro-slavery party, and either the continuance of the present anarchy or its suppression by military force. Either proposal was palpably iniquitous and monstrous. That of Douglas preserved the form of legality only by ignoring the facts of the case. That promoted by Sumner, Senator from Massachusetts, and his associates set facts and law, reason and justice, at open defiance.

Neither the reciprocal outrages nor the party recriminations they provoked at Washington, however, scandalised the self-respect or appalled the conscience of the nation.

News from California reached the Eastern States tardily and in fragments. The crimes of violence, the robberies and murders, the lawless acts of retribution rather than of justice, heard of months after their perpetration, had excited little interest. Practical anarchy had reigned for months, life and property had become altogether unsafe, a State Government partly dishonest, partly timid and wholly impotent, had fallen under the control of the lawless class, and had at last been quietly set aside by a silent rising of the respectable or comparatively respectable and honest majority. A Vigilance Committee, self-elected, the very names of its members unknown, had assumed and wielded an absolute dictatorship; had summarily hung or banished a number of the worst characters, had overawed the rest by significant warnings and severe examples, had restored order; and had then quietly laid down a power resting on the tacit consent of the community and the active support of a party whose real strength was

matter of mere conjecture. These events had not revolted the law-abiding people of the settled States. No political issues were involved, and the result justified to the common sense of the American people the strong measures by which it had been obtained. They had become accustomed to regard anarchical outrage and lawless repression as the normal condition of the new communities of the Far West. But for their party and sectional aspect, the outrages of the Missouriians, the invasion of Lane, the storming of Lawrence, and the massacre of Potawatommie, would have troubled Congress and the people less than the butchery of a ship's crew by Polynesian islanders, the murder of settlers and the retaliatory slaughter of a black tribe on the borders of Queensland, troubled Englishmen of the same generation.

A single outrage in Washington, a personal brawl in the Senate Chamber, rang through the world, and roused a storm of reciprocal indignation and mutual reproach throughout the Northern and Southern States incomparably louder than the echoes of open war from the Nebraskan plains, the horrors of Californian anarchy, or the lawless reaction which had restored the reign of law.

## CHAPTER XIII.

## A COSTLY CANING.

Sumner's Speech—Personal Insult to Brooks's aged Uncle—Brooks's Character—Sumner's Superior Strength—The Thrashing—Sumner's Submission—Violent Sympathy shown by their Sections for either offender.

ON May 20, 1856, Mr. Sumner delivered in the Senate a diatribe of most unparliamentary violence, applying to slavery and the South the favourite metaphors of Exeter Hall,<sup>1</sup> the choicest rhetoric of Billingsgate. Such a speaker, in the most licentious Continental Assembly, would have had to answer for his taunts with sword or pistol. In England he would have incurred formal censure, if not committal. Mr. Sumner was applauded by the worst or most extreme Free-soilers and heard in silence by the exasperated gentlemen of the South because, according to their universal sentiment, they would have lowered themselves by accepting any satisfaction but that which the offender was notoriously determined not to afford. When he passed from universal to individual denunciation, his gross personal attack on Senator Butler, of South Carolina, a man whose stainless character and veteran fame commanded the reverence of the whole South, was felt as a deliberate outrage, a wanton insult to the State, and a direct challenge to themselves, by all her younger representatives.

Among those representatives none stood higher in personal and political reputation than Preston S. Brooks.<sup>2</sup> Brooks was no fire-eater, no brawler of the type always characteristic of the West, and in the present virulence of political strife finding

<sup>1</sup> Von Holst (Lalor's translation), 1854-56, pp. 315 *et seq.* The writer is as abusive as Sumner himself, and exults in the senatorial outrages lavished on the South.

<sup>2</sup> So Von Holst, in reviling him, distinctly admits.

place among the tag-rag and bobtail of both extremes. His demeanour, both in the House and in society, had been dignified and courteous. His language and conduct, especially on the subject of political duelling, had been those of contemporary English gentlemen. 'It did not,' he had said, 'accord with his ideas of honour to assail those who, in obedience to a local sentiment, were averse to such a resort.' 'It is a cheap display of chivalry to insult when no responsibility is incurred. And, for my own part, I would prefer the condition of him who bears the wound rather than of him by whom under such circumstances it is needlessly inflicted.' The same feeling rendered him intolerant of the 'cheap chivalry' which made conscientious scruples the shield of licensed outrage and privileged slander. The Senator for Massachusetts was a man in the prime of manhood, of very exceptional strength and stature.<sup>2</sup> Brooks was a man of average size and vigour. The insult to his aged uncle and revered political teacher, Southern feeling and opinion, as that of every country but England, required him to resent. He endeavoured, but in vain, to encounter Sumner in the street; and on May 22, accompanied by a colleague, he entered the Senate Chamber.

The Senate had adjourned, but several of its members were busy at their desks. Brooks addressed Sumner in clear emphatic tones, and warned him that he was about to chastise the slanderer of Senator Butler. Such a warning gave Sumner ample time to spring up and defend himself. Brooks fully expected to be overpowered, to have the cane wrested from him and applied to his own shoulders. For that reason, as he afterwards said, he had chosen the cane rather than the cowhide, since, according to his fantastic ideas of honour, the use of the horsewhip must have been avenged in blood.

<sup>2</sup> Von Holst, 1851-56, p. 319.

<sup>3</sup> 'Knowing that the Senator was my superior in strength, it occurred to me that he might wrest it (the whip) from my hand, and then—for I never attempt anything I do not perform—I might have been compelled to do that which I would have regretted the balance of my natural life.' Brooks was as utterly incapable of falsehood or equivocation as a typical French or English gentleman—an Althorpe or De Tocqueville.

Sumner, however, declined to avail himself of his antagonist's ample warning, or of his conscious physical superiority. He did not even rise, but received the intended thrashing in a sitting posture. Consequently one or two blows intended for his back fell on his head; and as he was assisted out of the Senate Chamber, leaning on his friends with the air of a severely injured man, the blood trickling from his wounded scalp afforded the pretext for the diligently-circulated calumny that Brooks had intended murder rather than chastisement.

The breach of privilege was the graver as committed by a member of Congress. The impunity of parliamentary libel is to the uninitiated perhaps the most irritating and most inexplicable of the artificial necessities of politics. But cowardly, as the North chose to call it, Brooks's act certainly was not. Sumner was neither taken by surprise nor at a disadvantage; nor could anyone anticipate that he would carry his non-combatant principles to the point of passive submission. He well knew what he had to expect. He received at the time a notice which gave any man of ordinary promptitude abundant opportunity. To one who could not read the Senator's mind, the chances were all in his favour. A man of average size and strength, armed only with a cane, who undertakes to speak some thirty words of menace to a seated opponent of exceptional stature and powerful frame, may be considered fortunate if he escape with a severe thrashing; and the man who, so menaced, sits still to be thrashed—not being crippled, deaf, or blind—will, as a rule, meet with more of contempt than sympathy. The bitterness of sectional feeling was shown as much by the Northern determination to make a martyr of the beaten Senator, as by the unanimous outburst of Southern admiration for the beater. Every Republican newspaper represented the burly Senator for Massachusetts as a powerless victim of Southern brutality. Meeting after meeting throughout New England and in most of the North and West acclaimed the Confessor of Abolitionism. With even greater unanimity the press and people of the South applauded the chastisement of an insolent and cowardly cur. More than one

journalist and speaker disgraced himself by recommending that the Abolitionists should be systematically thrashed into silence, and indicating by name the most appropriate objects of such coercion. Northern deputations condoled with Sumner on the outrage he had suffered, without reference to that of which he had been guilty. Southern deputations presented Brooks with 'canes of honour,' which he had not the sense or the dignity to refuse.

Congress was worthy of its constituents. No Republican Senator had the self-respect to protest against the insult given by or the honours paid to Sumner; no Southern Democrat repudiated on behalf of his section the sympathy lavished upon Brooks. The Committee appointed to deal with the case reported that the Senate was powerless to punish a Representative—that Brooks's act must be reported to and dealt with by the House. A purely party majority, falling short of the required two-thirds, voted for the expulsion of Brooks, and of Keitt who had accompanied him to prevent interference. Thus technically acquitted, the offenders immediately appealed to their constituents, and were instantly returned by an almost unanimous vote.



## CHAPTER XIV.

## THE PRESIDENTIAL CAMPAIGN, 1856.

Sectional Temper—The Republicans—Democrats—Know-nothings—Buchanan and Fremont—Significance of the Results.

OUTRAGES far more gross and lawless had from time to time disgraced the House of Representatives. An interchange of blows had interrupted its debates, and infuriated combatants had rolled upon its floor in the rough-and-tumble fashion of the Far West. But the offenders had been mere rowdies of low personal character and no political standing. The violation by a Southern Representative of the Chamber in which the majesty of his own State and of her sisters Northern and Southern was formally represented, a deliberate caning inflicted by a Southern gentleman of breeding and reputation upon a leading Northern Senator, was a novel and ominous incident. The intemperate partisanship of both sections left little prospect of any rational discussion or practical treatment of the exasperating questions at issue. When such was the temper not of mobs but of States, such the spirit of grave legislators and recognised leaders, the name of the Union had already survived the fact.

The Presidential campaign of the autumn revealed the completeness of the disruption. The party whose growing strength proved that the future, proximate if not immediate, was theirs—the party of Seward and Sumner—hastened to demonstrate the revolutionary violence of its passions, the extravagance of its principles, and the absence of a guiding mind, or a purpose at once intelligible and avowable. One point they were compelled to define: the geographical limita-

tion of 'National' Republicanism. Practically for the first time, the fundamental principles as well as the formal decencies of American self-government were cast aside; a faction based on exclusion and proscription claimed to rule the Union while representing only a section. By hook or by crook, delegations from the Southern States were brought to complete the party Convention; but no one affected to believe that one-third of these delegations represented a Republican minority, however insignificant, in the States whose names they assumed. Nor could the Convention recommend to the popular choice a representative candidate—a responsible statesman, or, in default thereof, a distinguished soldier. Formed as it was by the coalition of half a dozen distinct fractions or fragments, each with leaders, traditions, and antipathies of its own, none willing to yield precedence to its rivals or accept the nomination of a former opponent, Seward, Sumner, Chase, Hale, and Banks—names that represented ideas or popular influences—were successively set aside. Before the Convention assembled it had become clear that none but a neutral candidate could have a chance; and the choice lay between McLean, an aged Judge of the Supreme Court, and Fremont, the conqueror of California, unknown as yet in politics, and owing his extrapolitical notoriety to his romantic adventures as an explorer and the still more 'available' romance of his last exploit—his elopement with the daughter of Senator Benton of Missouri. For Fremont 359 votes were cast, 196 for McLean, while Sumner had two, and Seward and Banks one each. Contrary to all custom, the candidate for the Vice-Presidency was also a Northerner—a selection the more significant that it was so signally impolitic and so obviously involuntary. No Southerner whose name would not have covered the party with ridicule, or worse, could be found in its ranks.

The Democrats were wiser or more fortunate. Their choice for the grave and experienced statesmen who guided their councils could not at this crisis commit the fate of the party and the country to a puppet or a harlequin—lay between Stephen

A. Douglas and James Buchanan. Buchanan was the survivor of a generation whose leaders loomed as giants beside the electioneering politicians and sectional fanatics of the present. A veteran diplomatist, a former Secretary of State, the contemporary and associate of Clay and Adams, Webster and Calhoun—he had no living superior in practical experience and official reputation. Like most of those who thus rise by seniority to the foremost rank, he was distinguished rather for gravity than for wisdom, and enjoyed that credit as a safe man which is seldom earned save by cautious weakness and pliant mediocrity. Douglas had just proved himself the most unsafe of public counsellors by the daring ambiguity of the Kansas-Nebraska scheme and the popular extravagance of squatter sovereignty. The choice fell upon the former. Douglas, though disappointed, was still young enough to wait. Buchanan's supreme merit was his Pennsylvanian citizenship. Alone among the greater States of the original thirteen, Pennsylvania had never given a President to the Union. Buchanan could secure her vote, and on that vote the victory of the Conservatives and the maintenance of the Union were but too likely to depend.

The Know-nothings still maintained a party name and organisation, which had ceased to have a practical meaning. Unable to find an available candidate in their own ranks, they brought forward Millard Fillmore, who as Vice-President had succeeded on General Taylor's death. A Whig, but never a Know-nothing, Fillmore hardly affected to accept the Nativist and anti-Catholic dogmas which formed the avowed and only distinctive creed of his supporters. Like them, however, he chose to ignore the political situation—the certainty that the Conservative Democracy was the only party capable of defeating the subversive Republicans. The Union could only endure while the South was secure against aggression; but Fillmore, as a Northern Whig, could not hope to play a part on the political stage if he accepted the two cardinal points of the Conservative programme—the equal rights of all the States in the Territories, and in the District of Columbia. Pro-

fessing a paramount regard for the Union, he wilfully divided at this moment the forces that held the Union together.

The popular vote left no doubt from which section came the danger of disruption. The disunionist party, which had made the repudiation of every compromise, including those of 1789, its first principle—the party of avowed aggressive sectionalism—received in the Northern States alone just one million and one-third of suffrages. Of 886,000 cast for Fillmore half a million were given by the South; showing that three-fifths of the strength of the only party which was for the Union before all things lay in the States which stood solely on the defensive; that there was no element in the North from which that forbearance, that moderation which might restrain the aggressions and use for pacification the strength of the stronger section, could be hoped.

It is a signal proof of Southern caution, endurance, and patience that even this lesson did not drive ‘the solid South’ into the Democratic ranks. The Democrats, North and South, gave 1,851,000 suffrages for Buchanan. Of 296 electoral votes, Fremont, the representative of pure sectionalism, received 114, Buchanan 174, Fillmore only the eight cast by Maryland. The figures were ominous indeed. The party whose victory meant disunion had been beaten, but by means which promised at no distant date a reversal of the present decision. It had secured a majority in the House and a strong minority in the Senate, the control of New England and several of the most important Northern States, and was gaining ground from day to day. Upon the paramount issue, to which all others were now completely subordinate, the Republicans were united; while none knew better than the Unionist statesmen who directed the counsels of the Democracy with what extreme difficulty its internal differences had been covered by ambiguous phrases; how unreal and artificial was the co-operation which, partly through traditions of party discipline, partly because the ‘spoils’ were at stake, had been secured for that Presidential campaign alone. It was barely possible to keep the party together for four more years without driving

its more distinctly Northern adherents to revolt. Its cohesion was constantly tried by the quarrels that broke out on every debate that touched the burning questions. And the defeat of the Democratic party meant the rupture of the last links that held the Union together. The question would then be not between Union and disruption, but between peaceable secession and civil war.

It soon became apparent that Congress was incapable of any impartial, honest, practical endeavour to settle the affairs of Kansas. Governor Shannon had been superseded; his successor recognised the Pro-slavery Legislature as having at any rate the form of legality on its side. The ascendancy of parties depended on the seasons. Winter arrested the flow of those large Northern reinforcements on which the strength of the Free-soilers depended. The Pro-slavery Government recovered the ascendant, imprisoned the leaders of their opponents, exiled many of their followers, and closed the roads by which their recruits attempted to enter the Territory. Thus, when the Democrats in Congress offered a *prima facie* reasonable compromise, by which the obnoxious laws and tests should be set aside, the Territory reorganised, and its government left in the hands of *bona fide* settlers, who should have been actually established in the Territory on July 4, the Republicans declared that this date concealed a fraud. Sumner's dragoons had expelled not only the Missourians but a number of Southern settlers; *per contra*, the few peaceable men who had migrated from the North had left a country given over to anarchy, and the victorious party had driven out hundreds of the intruders engaged by the 'Emigrant Aid Societies.' The Republicans demanded time for the former to return—time to pour in fresh swarms of Free-soil rowdies. Between factions thus mutually distrustful no settlement was possible.

The struggle culminated in the attempt of the Republican majority in the House to impose a rider on the appropriation for the support of the army, forbidding the employment of Federal troops to maintain the law in Kansas till certain Republican demands should have been satisfied. In America, as

in England under William III., the practice of 'tacking' political measures to money grants in order to override resistance or preclude debate, though obviously unconstitutional, had been tolerated for convenience' sake till it was grossly and openly abused to coerce an independent branch of the Legislature. The Senate - having what has been wrested from the House of Lords, the right to amend money-bills - could not thus be placed under duress. It could strike out the rider, cut the 'tack,' and throw on the aggressors the responsibility of resistance—of paralysing the Government or dissolving the army in the hope of crushing Senatorial opposition. The session closed without the passage of any vote for the military service. Pierce was compelled to convoke Congress in extra session on August 21, 1856. The contest was renewed, and the House yielded at last by a majority of 101 to 98. Beyond the appointment of the Committee at the beginning of the session, nothing had been done for Kansas, though a fresh abuse of power imperatively demanded the interference of the Federal Legislature. In pursuance of instructions from the Bench, a partisan grand jury had indicted for 'constructive' treason several of the foremost Free-soiler leaders. That doctrine of 'constructive' treason, long since obsolete in Great Britain, had been negatived in the plainest and most explicit terms by the Constitution of 1787, which knows no other treason against the United States but levying war against them or adhering to those who do. Treason against a Territory is conceivable only as treason to its sovereign Power, the United States, and is therefore limited by the terms of the Federal Constitution. Even the possibility of treason against a State has been questioned—absurdly, it would seem, while the States were sovereign.

## CHAPTER XV.

## KANSAS SETTLEMENT. DRED SCOTT CASE.

Mr. Buchanan's Efforts to reconcile the Kansas Factions—Perversity of the Free-soilers—Settlement—Case of Dred Scott—Decision of the Supreme Court—Repudiated by the Republicans—Helper Manifesto—John Brown.

ON Mr. Buchanan's accession to power, March 4, 1857, he found the Kansas question in his view predetermined by the action of Congress. Every organised Territory elects a delegate to the House, with the right of speaking on Territorial questions, but not of voting. The seat claimed by ex-Governor Reeder, the nominee of the Topeka assembly, had been accorded to Whitfield, the representative of the regular or Pro-slavery Legislature. By this, and by other acts recognising the latter as the lawful authority of the Territory, the President regarded that question as finally decided. It was not for him to dispute the decision of Congress on a point so clearly within its jurisdiction. The Free-soilers were maintaining a rebel Government and bogus Assembly of their own, and thus defying, not only the local authority, but Congress and the President; were, in very truth, rebels in arms against the United States, save that the United States Government chose rather to ignore than to put them down. A new Governor, R. J. Walker, had been appointed; and under strong pressure from Washington, the regular Legislature on February 27, 1857, passed an Act convoking a Convention to frame a State Constitution, and providing for the election of delegates on the third Monday of June. The test oaths were abandoned; the only qualifications required were citizenship of the United States and three months' residence in the Territory. The qualified voters, 9,251 in number, were freely

registered, the requirements of common sense and equity were fully satisfied. If the Free-soilers were, as they claimed, a clear majority of the *bona fide* citizens, they had only to vote and regulate the Constitution of the future State at their pleasure. But, under the encouragement of the Republican leaders at Washington, they refused to abide either by the law or by the ballot, and maintained their appeal to naked force. They elected a Governor, and organised a rebel militia under General Lane, the chief of the Iowa filibusters. Mr. Buchanan, anxious above all things to avoid bloodshed, forbore to order the Federal troops, now under the command of General Harney, to disperse the rebels; but, as bound in duty and in law, protected the legal Convention, which assembled at Lecompton. Through the wilful abstention of the Free-soilers, the Convention contained an overwhelming majority of Pro-slavery members, and drew up a Pro-slavery State constitution. They so far complied with the President's urgency as to submit the question of slavery to the people. The Free-soilers again abstained, and an overwhelming popular vote sanctioned the Lecompton Constitution with slavery. The Topeka men, as aforesaid, drew up a rival Constitution of their own, and demanded the admission of Kansas as a Free State. States had been admitted under constitutions not framed in pursuance of law, enacted by conventions unauthorised by the prior act of Congress which alone could give them legal authority. California afforded a recent precedent strictly in point. But in every such case the irregular act had been that of the people as a whole; the convention had represented all the inhabitants of the Territory, and the proposed constitution was the genuine expression of a free public opinion. In no case had a convention assembled in resistance to that called according to law presumed to submit an opposition constitution. Congress could not, without stultifying itself, reject a constitution the result of free election under the action of the reorganised Government. But the Republicans would listen to neither law nor reason. When the Lecompton Constitution was submitted to Congress, they not only resisted its accept-



ance, but fought resolutely and stubbornly for the recognition of the Topeka assemblage.

In the meantime State officers and a State Legislature had been elected under the Lecompton Constitution in January 1858. This time the Free-soilers yielded to the repeated advice urged by Mr. Buchanan with equal earnestness and forbearance. They cast their votes and secured a large majority. The President now recommended Congress to admit Kansas under the Lecompton Constitution, on the express ground that the Free-soil Legislature could at once appeal to the people and that a new convention could, if the electors of Kansas so desired, amend the constitution by the prohibition of slavery. The common sense and legality of this proposal were equally obvious. The question was no longer between the Border and Free-soil Ruffians, but between the latter and a Free-soil Government *bonâ fide* representing the people at large. Yet the Republicans continued to sustain the rebels; and only at the beginning of May 1858 was the Bill admitting Kansas under the Lecompton Constitution carried by a strict party vote. It was a significant omen of the future that Douglas in the Senate and two or three of his followers in the House now deserted the Democratic colours. Kansas, however, postponed her own admission by stickling for an unprecedented donation of public land—everywhere the property not of the State but of the Union—and remained in her ambiguous position as an inchoate State till the withdrawal of the Southern Representatives and Senators left the Republicans absolute masters in Congress, when she was admitted under the ‘bogus’ or ‘hole-and-corner’ Constitution of Topeka.

On March 6, 1857, the Supreme Court gave judgment in a case which directly involved the most fiercely contested issues of the sectional conflict, bringing the political aspects and relations of slavery—its position in the Territories, the power of Congress, the Fugitive Slave Law, the antagonistic legislation of the Free States—to the test of constitutional principle and legal precedent. Dred Scott, with other slaves, had been carried by his master into a Territory north of the

Missouri Compromise line ; and, being carried back into Missouri, claimed his freedom. Southern tribunals had repeatedly decided that slaves carried into Free States by their master, and thus legally brought under the State jurisdiction, thereby recovered their freedom, and did not lose it by being carried back into a State where slavery was recognised. Extending this doctrine to the Territories, the Circuit Court of Missouri had decided in Scott's favour. The Supreme Court reversed the decision, and laid down that the Territories were held by the Federal Government during their Territorial condition for the common use of the States ; that the Territory being part of the United States the Government and the citizen alike entered it under the authority of the Constitution, with their respective rights defined and marked out thereby. The Fifth Amendment provides that no person shall be deprived of life, liberty, or property without due process of law. The Federal Government, therefore, was bound to protect the property of citizens within the Territories. There was no difference between property in a slave and other property, save that the former had been distinctly and separately recognised by the Constitution. The right to traffic in such property like an ordinary article of merchandise had been guaranteed by the Constitution to the citizens of every State that might desire it, down to 1808. The Federal Government was thereby pledged to protect that property. It was tacitly assumed that the slave had already been 'deprived of his liberty' by due process of law - *i.e.* by the legislation of his native State ; an assumption which can hardly be disputed.

Upon such considerations, fully and ably set forth, the Court pronounced the Missouri Compromise unconstitutional and void. That Compromise had been already repealed by the Kansas-Nebraska Act, but that Act had left open the question as to the position of slavery in other Territories. The judgment of the Supreme Court legally settled this long-contested issue : laid it down that the Southerners had a legal right to carry their slaves into the Territories, and could not be deprived of that right till each Territory was

organised into a State—a doctrine fatal alike to ‘squatter sovereignty’ and Congressional control.

The inference drawn from the Constitution may have been right or wrong, as a legal enactment might be just or unjust; but the decision of the Court was law, just as the attainder of Strafford was law till reversed. But a majority of the people of the North as individuals, and the Republican party as a party, set the law at open defiance. The next Republican Convention proclaimed as a fundamental principle of its policy the exclusion of slaves from the Territories. Within the Union, that is, and while claiming all its benefits, they declared themselves resolved to elect a President pledged, in disregard of his oath of office, to use the whole power of the Federal Government to defeat the law and nullify the Constitution.<sup>1</sup> In the meantime the party was using every means in its power to exasperate the conflict. Senator Seward of New York, their recognised leader, and Abraham Lincoln of Illinois (whose name had first been heard in the Convention which nominated Fremont, and seemed to hesitate for a moment between Dayton and Lincoln for the Vice-Presidency) harangued Northern audiences upon the ‘irrepressible conflict’ between slave and free labour; and pronounced that either the cotton, rice, sugar, and tobacco of the South must be cultivated by free labour, or the wheat-fields of Massachusetts and New York surrendered to slave culture! It was not by alarms so palpably absurd that the thriving yeomanry of New York or Ohio, the wealthy manufacturers and intelligent artisans of Massachusetts and Pennsylvania were roused to unreasoning passion: it was the furious passion of the day that gave circulation—not credence—to nonsense which no newly entered student of Harvard, much less shrewd lawyers and experienced politicians, could soberly propound.

On March 9, 1859, the leaders of the Republican party,

<sup>1</sup> Throughout the conflict the only legal course—to obey the law till repealed by a constitutional amendment—was never dreamt of or glanced at either by Republicans or Douglas Democrats. This was all the South required, and it was this that the North refused.

backed by sixty-eight members of Congress, with Speaker Colfax at their head, put forward on behalf of the party a manifesto the like whereof is only to be found in the annals of the Jacobin Club and the Commune.

It is a signal revelation of the political morality, the constitutional loyalty, the regard for positive obligations, which characterised the Republicans; of the boundless unexampled vituperation, the menaces, outrages, and insults which goaded the South to fury; which above all rendered sober discussion, compromise, confidence in the most solemn assurances, henceforth impossible. Such a manifesto of itself proclaimed the ascendancy of its authors and the maintenance of the Union for ever incompatible. This document—written by one Hinton Helper, an Abolitionist of Southern birth, in the language of actual madness rather than of political frenzy—threatened the South with wholesale confiscation, servile insurrection, invasion, and massacre. In every page the author foamed at the mouth with incoherent abuse, slander, and sheer ribaldry at which Jeffreys or Ludovic Muggleton would have stood aghast.<sup>2</sup> The Republicans printed, recommended, and circulated by hundreds of thousands a declaration of war, proscription, and spoliation against the slave-owners of the South; ‘ineligibility of slave-owners for every office great and small; no co-operation with them in religion or society; no patronage to pro-slavery merchants; no guestship in slave-waiting hotels; no fees to pro-slavery lawyers, physicians, parsons, or editors; no hiring of slaves.’ Such was the declared policy of men like Seward, Chase, and Colfax towards fifteen confederate States; such the language they held to the foremost statesmen of the Union, to their colleagues in Congress, to almost every gentleman, politician, soldier, planter, merchant, and professional man south of Mason and Dixon’s line. The law of America, Colonial and Federal, had recognised slavery for more than two centuries—had encouraged men and women to invest their

<sup>2</sup> I quote a very few of the least extravagant and revolting sentences. No man who has read the work, or a fairly chosen series of extracts, will dispute the literal accuracy of this description.

money in slave property. New England rather than South Carolina or Georgia was responsible for the slave trade. The former had sold to the South thousands of Northern-born negroes and stolen Africans, and derived no small part of her mercantile wealth from the traffic. No point of morality is more absolutely clear, no principle of political and social justice is more firmly established than this—that if the State repent its laws the State must pay for the liberation of its conscience; that the confiscation of proprietary rights once established by law, without full compensation to their holders, is naked robbery. But now the Republicans of the North, addressing the slave-owners in terms of the foulest and coarsest abuse, informed them that they must not only emancipate every one of their slaves, but pay each of them sixty dollars in hard cash! There could not be a more absolute repudiation of the Federal compact, a more definite declaration of war. The Southerners would have deserved the worst that could befall them had they remained in the Union after the endorsement of this party manifesto by a majority in the Northern States. This was obvious to Seward, Greeley, Colfax, and their associates; and the reply of Mr. Seward was, ‘If you take the South out of the Union we will bring her back, and if she goes away with you she will return without you.’<sup>3</sup> And the meaning of this sentence was not left to conjecture. The Republican Senators, Representatives, and candidates for the Presidency plainly threatened the chosen leaders of the Southern people. ‘If you dare stand on your defence against our scheme of subjugation and spoliation, you shall pay for it with your lives.’ Such was the programme formally adopted, and never after repudiated, by the Republicans; a programme which would be held to put any other political party beyond the pale of human sympathy. Suppose Peel, Wellington, and Lyndhurst thus to have menaced their Roman Catholic countrymen with proscription, confiscation, and ruin; suppose the Tories in 1828 to have gone to the country on such a manifesto, and to have received a plurality of British votes:

<sup>3</sup> Helper's own words.

who would not have despised Ireland if she had *not* rebelled? And for such purposes the analogy between Slavery and Popery is perfect. Both were held in intense abhorrence by millions; both were held with sincerest faith by their defenders to be just, righteous, and sacred. The former finds far the more direct and explicit vindication in the supreme authority to which both North and South appealed. Both are survivals of a recent age when no one doubted the doctrines of either.<sup>4</sup>

Some six months later, this authentic exposition of Republican faith and morals received a striking practical commentary. John Brown of Ossawatimie was reputed the most ruthless, lawless, and fearless of the Free-soil desperadoes of Kansas. He stooped to no quibble of *bonâ fide* settlement, he avowedly sought only an opportunity of indulging a savage party spirit. Like Torquemada and Cromwell, Alva and Endicott, he robbed, fought, butchered prisoners in cold blood A.M.D.G. He was universally believed to have been the author of the cruel and dastardly massacre which commenced the war at Pottawattimie. His denial is of little value; the pretexts assigned for that atrocity attest his intimate connection therewith. One of his last exploits in Kansas was a midnight burglary in Missouri, in which he carried off several slaves and horses. This outrage he avowed in Cleveland, Ohio, where he sold the stolen animals by public auction. Every citizen of Ohio was bound, every magistrate sworn, to arrest such an offender and hold him for extradition and trial in the State where the theft was committed; but not one man had the will or the courage to do his duty. Law and public faith had lost all meaning among those who presently went to war to 'maintain the Union and enforce the law.'

After peace was restored in Kansas, with moneys obtained from Abolitionist friends—for what sort of use the subscribers could not doubt—Brown purchased pikes, rifles, and revolvers enough for a thousand men, which could have no other destination than the hands of insurgent negroes or filibustering

<sup>4</sup> Helper's *Imperial Crisis*, pp. 89, 90 *et passim*. Buchanan's *Administration*, pp. 50, 60.

desperadoes. Relying, as Greeley himself declares,<sup>5</sup> on a negro rising in his favour, on Sunday, October 15, 1859, with a gang of twenty-one filibusters, Brown entered the village of Harper's Ferry, immediately on the Virginian side of the Potomac, seized the great unguarded Federal arsenal there situate, cut the rails and telegraph wires, attacked a train and murdered a negro. He next entered the houses of several gentlemen, seized arms and horses, liberated slaves, arrested some fifty white citizens, and murdered one armed and four unarmed men. Brown's denial of any desire to excite a servile insurrection only shows that no reliance can be placed on his word. To mere fugitives the 'Underground Railroad' was open, and a few miles' walk would at any time have brought them into practical safety. If he spoke the truth on this point, his conduct was that not of a fanatic or a madman but of an idiot. The seizure and occupation of the arsenal could only be meant to arm insurgent slaves and afford the signal and centre of a negro rising; the ignominious collapse of the enterprise was owing simply to the failure of this, its essential basis. Abolitionist libels brought to ruin the man who believed them and acted on his belief. The slaves in the Shenandoah Valley were conscious of no grievance, and had no mind to rebel. The militia of Virginia mustered fast; a force of marines under Colonel Robert E. Lee arrived from Washington, the arsenal was stormed and the filibusters captured.

The prisoners were treated with signal indulgence. The grisly Kansas fighter, the Abolitionist fanatic, had certainly heard the story of Hayti. He knew what servile insurrection meant, and had made up his mind to sweep Virginia at the head of a horde of savages, burning, robbing, outraging women and young girls, and butchering defenceless men. He was no child, no sentimentalist like Emmett or Lord E. Fitzgerald; but a man of iron nerve and conscience, ready for any atrocity, as for any peril, in the cause in which his worst passions and his highest aspirations were alike enlisted.

<sup>5</sup> *American Conflict*, vol. i. p. 291.

He would have wished to restrain his followers from the more hideous forms of licence ; but he was too familiar with outrage and civil war to fancy that he could so. By the universal maxim on which all human justice proceeds, he must be held to have intended the natural consequences of his acts ; and it is impossible, therefore, to exaggerate his guilt. But it was the guilt of an unscrupulous fanatic, like Booth or Balfour of Burley, whose bitterest animosities were hallowed by his sincerest convictions, and to whom nothing was criminal that could serve his cause. His courage—though, on his own showing, mere physical insensibility—his undaunted firmness and undoubting faith, commanded the respect of the Virginian chivalry. As the prisoners were marched through the streets, Governor Wise sharply rebuked and silenced the angry cries of the populace. The culprits were allowed full time to prepare their defence. Taken red-handed in a scheme to consummate at Harper's Ferry all, and worse than all, the worst horrors of Cawnpore and Delhi, they received a trial whose perfect fairness John Brown himself admitted. The avengers whose lives he had attempted, whose wives and children he had devoted to the hideous brutality of insurgent Africans, spared him all personal indignities, all moral torture. Few among his intended victims approved the righteous sentence passed on him and his accomplices more heartily than they joined in the prayer that followed it—‘ may God have mercy on your souls ! ’ He had earned a felon's death ; it is not for those who cannot read the heart to express more than a hope that he had also earned a martyr's crown.

No such charity is due to the subscribers who sent John Brown on his fearful errand, or to those who in cold blood paraded their sympathy for the culprits, and honoured the armed invaders of a sister State with all the signs of public mourning bestowed on the most distinguished soldiers who have died for their country. Such deliberate insult offered by one foreign State to another would bring them within twenty-four hours of war. Nay, the offence of Massachusetts was grosser, in proportion to the solemn obligations which



bound her to Virginia, the consideration for which she exacted to the last dollar. With individual violators of the Fugitive Slave Law no Southerner could at heart be angry; for few indeed were the Virginian planters, the Kentuckian farmers, who, meeting a footsore fugitive or a runaway mother carrying a child she sought to save from the slave-dealer, would not have shut their eyes and ears, or, if questioned, chosen like the Scotch loyalist to 'trust their souls to God's mercy,' rather than the fugitive's body to the tender mercies of the hunters. Few but would have respected and accepted a declaration from the Northern States—this law is an abomination we cannot endure; we renounce every advantage purchased at such a price; we break the bonds which imposed such a burden upon our consciences, 'peaceably if we can, forcibly if we must.'

Of Garrison, Wendell Phillips, and other ultra-Abolitionists, the worst that could be said was that their denunciations of the Southern people were unchristian and ungentlemanly; that their ribald abuse was, though not wilfully false, unpardonably careless of truth.<sup>6</sup> In their attacks on slavery *as an institution* they were honest, conscientious, and consistent. For those who insisted on retaining the profits of the bond while repudiating its obligations—the position of the Republicans at large—whatever partisanship may plead, history can find neither defence nor palliation. Repudiation deepens the infamy that clings to such promises; the unspeakable baseness of the bargain blackens the shame attaching to so foul a breach of faith. The hatefulness of the law has nothing to do with the question. Slavery and the Fugitive Slave Law were the price of the Union; none but a swindler ever dreams of retaining both the purchase and the purchase-money.

<sup>6</sup> Garrison habitually called all opponents, slave-holders or not, by the foulest names: 'liars, cowards, ruffians, murderers, man-stealers,' &c., *ad libitum*. See his *Life*, by his children.

## CHAPTER XVI.

### THE BREAK-UP OF PARTIES.

**Situation of 1860**—The South had *Led* the *Union* where the North now Claimed to *Govern* the *South*—Slavery Doomed by Separation.—The North Deceived by its Leaders—Full Notice Given—Division of Parties—Democratic Convention—Conduct of Douglas—The Election—Its Significance.

THUS far, the formal cohesion of the Democratic party alone postponed a direct sectional conflict—the declared and open division of parties on a geographical line, which was the penultimate step to separation, peaceable or forcible. The principles, the traditions, the standpoint of the Democratic party were essentially constitutional and conservative. It stood upon the Constitution as interpreted by the Supreme Court, or it had no *locus standi*. And in the cohesion of the party on that ground was the sole hope of the Union.

The position of 1860 was utterly different from any that had existed or could have existed prior to the election of 1856. It was not a question of party defeat such as the Southern majority had endured in the election of Adams, Harrison, and Taylor. The Whig party, when strongest in the North and weakest in the South, was a national party, based on national principles and on *bona fide* even if mistaken constructions of the Constitution. The Republican party was Northern and Northern only; had no organisation, no journals, no leaders, scarcely a single supporter in the fifteen Southern States. The country had been governed by Southerners, but never by the South—never could have been governed by a party which had not at least a very powerful minority in the North. Since 1789 a great many of the Presidents, of the Speakers of the House of Representatives, of the Judges of the Supreme Court, had been men of Southern birth, but had

not owed their position to Southern influence, had been carried to their high places by a thoroughly national vote. Nor did they even represent the influence of the South in that party which had, since the election of Jefferson, generally controlled the patronage of the Union. Whig as well as Democratic magistrates and legislators, judges, ministers and envoys had been taken from the Southern States. Of the first six Presidents, four had been Virginians, two citizens of Massachusetts; simply because Virginia was then the chief school of American statesmanship, and Massachusetts her only rival. Washington, Jefferson, Madison, and Monroe no more owed their election to their Virginian birth than the elder and younger Adams were indebted for theirs to the fact that they represented the most powerful State of New England.

It was not that the North had not politicians as able as their Southern rivals, and gentlemen of hereditary character, fortune and culture fit to mate with the Cavalier and Huguenot families of Virginia and the Carolinas; but as a rule the politicians were not gentlemen, and the gentlemen had learnt to hold themselves aloof from politics. Hence, Federal offices which demanded more than mere political training and intelligence—in which dignity and breeding, refinement of manners and character, were essential qualifications—were conferred by natural selection rather than personal choice chiefly upon Southern men.

It was plain that if the Republicans should persist and prevail, the South could not remain a proscribed, subjugated, humiliated appendage to what would then be not an equal Union, but a Northern empire. Her pride, her public spirit, her honour, her very safety forbade it. The prestige of indomitable self-respect, of unconquerable will, was the foundation of her social order. None the less did she realise the grave, complicated, incalculable, and illimitable consequences of secession. It was no trifle to renounce the position of the South as part of the one great American Power, unassailable save by her confederates; and this was the least of her sacrifices.

To say that the South seceded and fought for slavery is to

accuse her of political imbecility. How long could slavery, at least in Virginia, Maryland, Delaware, Kentucky, and Missouri, survive the dissolution of the Union? Every fugitive would see a safe asylum at hand and thousands of ready hands outstretched to help him to reach it. Incendiary manifestoes would be distributed wholesale from the presses of Philadelphia and Cincinnati. For one John Brown hanged ten would operate safely from beyond the frontier. What, in such a state of things, would be the value of slave property, of any property, in the border Slave States? What along the banks of the Mississippi, if its navigation were, as it must be, open to Northern traders? Abolitionist emissaries would run swift steamers of light draught into shallow bayous and hidden inlets; and—till the truth as to the fate of fugitives in the North slowly filtered down, till their influx was felt as a practical nuisance, and checked by the summary processes that gave effect to the will of the people—the negroes of the South would have been kept in a state of constant excitement and dangerous effervescence. Had slavery been what Yankees and Englishmen commonly supposed, it could not have survived six months of civil war. Being what it was, it could hardly have survived six years of separation. The same considerations, however, tend to show that the same antagonistic ideas which rendered it impossible for South and North to work together in the Union would have made their peaceful coexistence as independent Powers equally impracticable. One alone, but the greatest, ablest, and most trusted of the Southern leaders, recognised and avowed that disunion meant war; that those who had denounced the Union as ‘a covenant with Hell’ would show themselves as resolute as Pharaoh ‘not to let this people go.’

The distribution of parties rendered the alternative for which the Southern people were already prepared, the probability whereof their leaders, however reluctantly, were compelled to recognise, the most likely result of the coming Presidential contest. The ignorance of Southern feelings, the pretensions to a law higher than the Constitution, a morality

superior to obligations, which had prompted the Republicans in their long course of political aggression, blinded them to its consequences. The tone of Southern warnings and remonstrances was, as violent Unionists have since admitted, grave, earnest, and alarming; the tone befitting leaders of men who saw their country forced to the very edge of a precipice. It was no longer the wild talk of 'fire-eaters,' as hot and hasty as they were soon to prove daring and desperate; but the stern, quiet, low speech of statesmen and soldiers in deadly earnest—of Englishmen who, in a probable event, meant fighting, and were resolved not to fight by mistake. Then the quality of the Republican leaders was shown. Webster or Adams, Clay or Marshall, would have known what the South meant. The North would have learnt from them the alternative before her—equal union or open separation, loyal peace or war *à outrance*. The Searsons and Sumners, Lincolns, Chases, Weeds, and Greeleys did not or would not know. They mocked the warning; and, when it was fulfilled, excused themselves by denying its utterance, complaining of 'surprise,' 'conspiracy,' 'hurry,' and the like. They deceived their people, and evaded their wrath by charging deception on others. Buchanan's testimony is conclusive, even did not the files of their own journals convict them out of their own mouths. The President saw what was coming; he knew the South and her leaders too well to doubt that they were the more terribly in earnest because they had endured so long.

But the Republican orators would not hear. To acknowledge the consequences of victory was to ensure defeat. Whether or no the South were prepared for disunion, the North was not. Had her eyes been opened in time, she would have recoiled; Pennsylvania, New York, the Pacific States would have protested, as they did protest when it was too late; the thousands who in March and April 1861 denounced the Radical policy would have revolted in October 1860 from the Radical standard; the election would have been lost and the Union saved—for the time. The men who had given their signatures to Helper's manifesto were not troubled with scruples. They

appealed to the Northern people to kick the South into submission by reiterated assurances that 'in no case could she be kicked out of the Union.' The mutual ignorance of the two sections, but especially of the North, was such as has seldom existed between neighbouring nations, never perhaps between contiguous people of the same blood with a common language, literature, and history.

The South believed that 'cotton was king'; that the North would never risk its monopoly of the Southern trade, its protectionist tariff, its tribute of interest and commissions, the supplies which fed the mills of Lowell, the Southern market in which Massachusetts calico, Northern tools, machinery, and wheat sold for twice their value. The North believed that the South was afraid of her slaves; that disunion would be the signal of servile insurrection; above all, that slavery was repugnant to the feelings as to the interests of the non-slave-holding classes—to the conscience, the religion, and the experience of the slave-owner. From these false premisses popular instinct drew the logical conclusion—that the South would not fight. No ruling aristocracy half so capable<sup>1</sup> ever went into war against fivefold odds with a half-hearted yeomanry at its side and a disaffected peasantry in its rear. No nation ever challenged a duel to the death in a dubious cause—appealed to the God of Battles to make right compensate might, and courage prevail over numbers and resources, but with a clear conscience; no Teutonic race ever staked life and all that makes life worth living, lands and liberties, families and fortunes, on a chance so desperate—assuredly none ever fought to the last after hope had vanished and when all was lost but honour—unless convinced in its inmost soul that Divine justice if not Divine providence was on its side.

The Republicans, acting on the aggressive, hoping all and risking nothing, would listen to no terms, abate no jot of their demands. They were not a majority; but they were the popular party of the stronger section.

<sup>1</sup> See *A Fool's Errand*, chaps. xxxiv. xxxix. *et passim*, for an enemy's testimony to the consummate political capacity of the Southern gentry.

The Southern Democrats were equally resolute to accept nothing short of equality and self-government, or to secede 'peacefully if they could, forcibly if they must.' The Conservative Democracy of the North, on clear grounds of constitutional conviction, common tradition, and party attachment, held with the South. One-half the North was already arrayed under the Republican standard: if once the Northern Radical wing broke away from the Conservative Democrats, the last link of union would be severed. It rested with one man whether this should be. The law, as defined by the Supreme Court, had interpreted the ambiguous language of the Kansas-Nebraska Act in the Southern sense—denying, in so far as slavery was concerned, both Congressional and 'squatter sovereignty' in the Territories. Would Douglas, the author of that Act, accept its legal interpretation? He might have done so, for he had studiously avoided to define the meaning of the Act—the time at which the self-determination of the Territory should take place. But the Congressional debates on the Lecompton Constitution had forced him to speak out; and his speech and his vote had committed him. He with the Radical Democrats of the West, insisted on squatter sovereignty as he had at last chosen to define it. He had to choose, in effect, between the temporary allegiance of Illinois and the permanent cohesion of the Democratic party. Without the former, he would not be the man to profit by the latter. The Union might be saved, but he, in losing his own State, would have lost his chance of the Presidency. He chose: he kept Illinois, he broke up the Constitutional party, and sacrificed the Union. He pronounced that 'squatter sovereignty' was his last word, after the irresistible logic of facts, the experience of years, had translated that ambiguous phrase into the vernacular of the West, as 'a big scramble and a free fight.'

One only platform was more gratuitously perverse and mischievous. There was still a Whig, Know-nothing, American, or, as it now called itself, 'Constitutional Unionist' party, which professed to stand on the Constitution and to abide by its

legal interpretation. But upon the one issue of the day, the Constitution legally interpreted, the Constitution as the Supreme Court had laid it down, meant the Dred Scott decision. That decision was the creed of the Conservative Democracy, and in standing aloof from that Democracy the professed Unionists *par excellence* clenched the fate of the Union. The last hope lay in the traditional discipline, the immemorial loyalty of the Democrats; the possibility that they would, as on former occasions, compel the waiver of all individual pretensions, all local factions, and stand together on the one intelligible ground—‘the equal rights of the Sovereign States, the Constitution as constitutionally interpreted.’ Senator Douglas and his creatures proceeded to convert this very forlorn hope into utter despair. The man staked his own fortunes, his party’s, and his country’s on the chance that if his minority would not yield to the majority, the majority would submit to be dragged through the dirt by him.

On April 3, 1860, the great Democratic Convention met at Charleston. It was attended by delegates from all the thirty-three States, each State delegation having as many votes as in the Electoral college. This arrangement gave a totally false representation of the party; assigning an irresistible majority to those States whose delegations the Douglasites controlled—States from which the nominee of the Convention, be he who he might, could hardly hope to receive fifty votes. The Northern wing, insignificant in the field, were the stronger in the Convention and, as the event proved, were resolved to ruin or to rule the party. The Committee instructed to draw up a platform consisted of one delegate from each State. As the largest States were mostly Republican, the real force of the Democratic party was much less inaccurately represented in the Committee than in the Convention itself. The division at once revealed how the Douglasites meant to use their artificial advantage. The seventeen assured Democratic States (assured if the Democratic party held together), the fifteen Slave States, with California and Oregon, were on the one side; fifteen Northern States on the other; Massachusetts,



by the vote of Benjamin F. Butler, virtually sided with the latter. The 'majority report' firmly enforced the doctrine of the Dred Scott decision. The minority, recognising in its preamble that 'differences of opinion existed within the party respecting the Territorial position of slavery,' proclaimed the intention of the Convention 'to abide by the decision of the Supreme Court upon questions of Constitutional law.' As the only Constitutional question in point was that decided in the Dred Scott case, this refusal to adopt the explicit language of the majority must mean evasion or bad faith. Butler desired to observe absolute silence on this paramount issue. The former report commanded a majority in the Convention, if the votes were taken on any consistent principle; a majority of the States and a majority of the delegates. But by a perversely artificial and illegitimate method of taking the votes (the Pennsylvanian, New Jersey, and Delaware delegates voting individually, while the entire vote of every other State was cast by the majority of its delegates), an artificial majority was secured for the Douglas report. The victorious faction presently amended their platform by striking out the disputed paragraph, falling back on Butler's proposal, and thus simply ignoring the decision of the Supreme Court, the rights of the South, and the main issue of the campaign.

Hereupon the delegations of eight Southern States seceded from the Convention. The Border States of Virginia, Tennessee and Kentucky endeavoured to heal the breach, proposing to reassert in a simpler form the principle of the Dred Scott decision, the inviolability of slave property in the Territories; but the Douglasites, now masters of the situation, refused to listen to any compromise, stood on their formal right, and howled down the motion for reconsideration. They forced on the nomination of candidates in the absence of half the sure Democratic States; but under the rule requiring two-thirds of the whole number of legal votes, 202 out of 303, Mr. Douglas could only obtain  $152\frac{1}{2}$ , of which 110 came from Republican States. It was now certain that he could not be elected, since he could command at most 42 electoral votes,

and honour, loyalty, and patriotism clearly required him to withdraw. But he persisted. On the motion of Virginia the remnant of the Convention adjourned, and reassembled at Baltimore on June 18, avowedly with a view to reunion. But the Douglasites refused to readmit the seceding delegations, and, secondly, rejected the motion to reconsider the platform. Hereupon North Carolina, Tennessee, Kentucky, Maryland, California, and Oregon withdrew. Massachusetts followed, because the Convention had ceased to represent the party. The Rump, which could not command the votes of five States, swept all rules aside, and nominated Douglas. To the reckless egotism of one unprincipled politician, and the unscrupulous intrigues of adroit and servile wirepullers, the real will of the Democratic States, the object of the Convention, the future of the party, the last hope of the country were deliberately sacrificed. Douglas had secured, by the secret arts in which he had no rival, the control of the Convention; he had snatched by a fraudulent count a nominal majority; he had pushed the advantage thus won to the utter dissolution of the party. He knew that his election was impossible—he had lost the control even of his own State; but he obtruded himself as a Democratic candidate in order that no other might have a chance of success. In one word, he wilfully betrayed the Conservative cause and the safety of the Union, and handed over the election to the Republican minority.

The latter assembled at Chicago a Convention unprecedented in the history of American party politics. Only twenty out of the thirty-three States were nominally, only seventeen really, represented. The preposterous title of 'National' was not, henceforth, much paraded on the manifestoes of a faction which had thus proclaimed its purely sectional character. This significant fact disposes at once of the complaint that the South, after so many party victories, seceded upon a party defeat. Here was, for the first time in American annals, a party confined to one-half of the States pretending to rule the Union. The thing was incompatible with the very idea of union, the first principles of Federal government. Such a

party, if installed in power, must govern the excluded States, so far as they were governed from Washington, as foreign and subjugated if not as hostile provinces. It had, in Helper's manifesto, proclaimed its desire to invade their liberties, rob them, attack their interests, their rights, their dignity and independence by any means however lawless. It was now in full sight of power; and its first measure was a declaration of hostility. It denounced the law of the land, the judgment of the Supreme Court, as 'a dangerous political heresy, at variance with the explicit provisions of the Constitution and with legislative and judicial precedent, revolutionary and subversive.' The 'platform' went on to dispute the sovereignty of Congress over the Territories in an exactly opposite sense; denying the existence of any power competent to establish slavery therein; flinging at one-half the States a distinction equally injurious and insulting. It coolly designated the illegal self-constituted assemblage of Free-soil rowdies at Topeka the legitimate Government of Kansas, and demanded the admission of that State under a Constitution in which its people had had and were to have no voice; and finally pronounced in favour of protection and internal improvements—taxation of the South for the benefit of Northeastern capitalists; and of an enormous Federal expenditure on a railroad to the Pacific Ocean—a flagrant bribe to the States of California and Oregon.

The Convention then proceeded to ballot for candidates. Out of 365 votes, Mr. Seward received on the first ballot 178; the only candidate who came near him was Abraham Lincoln of Illinois, who had recently 'stumped' that State against Douglas with signal effect, displaying a coarse humour, a pithy phraseology, and a wealth of rude anecdotes and apt vernacular parables which marked him as an ideal demagogue. The eminence of Douglas raised the local antagonist, who had confronted him without disadvantage, within sight of the whole North. On the third ballot Seward received 180 and Lincoln 231½ votes. It was clear that the statesman had no chance against the demagogue; the educated, tried, and

responsible leader against the self-made stump-orator and ex-railsplitter of the West. A number of scattered votes sufficient to give the latter a majority were at once transferred; and according to custom the nomination was then 'made unanimous.' The non-national character of the party was displayed by the selection of another Northerner, Hamlin of Maine, as candidate for the Vice-Presidency—a plain confession that there was no respectable Republican to be found in all the South.

Immediately on the dispersal of the Douglasite Rump, the seceding representatives of the seventeen Democratic States and of Massachusetts held a Convention of their own, and unanimously nominated Vice-President Breckenridge of Kentucky for the first, and General Lane of Oregon for the second place. The 'Constitutional Unionists' put forward a colourless platform, with Bell and Everett (the latter a distinguished Massachusetts lawyer and statesman) as candidates. Douglas had predetermined the result of the campaign; its issue, and the consequences became daily more obvious during the stormy progress of the contest. The national majority had been broken up into three fractions; all of which, as against the sectional minority, occupied substantially the same ground.

This fact deprived the election of that moral weight, that species of decisive authority, which American political superstition attaches to the definitive verdict of a powerful popular majority. The Revolutionary minority cast for Lincoln and Hamlin 1,857,000 votes, not one of which came really from the South. Of the odd 57,000, almost half were cast within the boundaries of Southern States by communities of Northern origin and feeling. The large German colony in and about St. Louis and those Missourian districts which belonged by settlement and character to Illinois gave them 17,000; the 'Panhandle,' and other fragments of Virginia, Maryland, and Delaware which were geographically, morally and naturally Pennsylvanian, more than half as many. The South was absolutely unanimous against them. But the minority carried 80 Republican electors out of 303. Nearly

1,300,000 votes, of which 59,000 were given by Missouri, 25,000 by Kentucky, and about 75,000 in all the other Southern States, gave 12 electoral votes for Douglas. Breckenridge received 850,000 popular votes, of which less than 280,000 were given by the Free States, and 72 electoral votes. To the former number, however, should be added the whole popular vote of South Carolina, whose electors were chosen by the Legislature. The 'Unionist' party received 39 electoral votes from Virginia, Kentucky, and Tennessee, and 646,000 popular votes, of which only 130,000 came from the North. Since the distinctive badge of the Douglasites was their refusal to abide frankly by the Dred Scott decision, it appears that the loyal and law-abiding citizens of the North—the men who were loyal to the Union, with its advantages and its obligations—were but a miserable minority of 410,000; less than one-fifth of the whole Northern electorate. The Unionism of the South was incomparably stronger and warmer, since of 1,270,000 Southern votes 515,000 (more than two-fifths) were cast for Bell and Everett, who received but 130,000 out of 3,200,000 Free State votes.

## CHAPTER XVII.

## THE MORMONS.

Joe Smith—The Book of Mormon—Unprovoked Anti-Mormon Atrocities—  
Murder of the Prophet Brigham Young—The Exodus—Salt Lake City—  
Saints and Gentiles—Federal Policy—Mormon Morals.

WHATEVER virtues may be ascribed to American democracy, it certainly cannot be credited with toleration, religious or political. The history of the Mormon community—the Church of the Latter-day Saints—is one long record of persecution, popular and official, State and Federal; persecution by law and mob-law, by Congressional legislation and Executive partisanship. Those who study the earlier part of that record will find that the theocracy rather than the morality of the Mormons was the original cause of popular animosity. The ruder methods of repression drove the Saints from one home after another within the settled limits and *de facto* jurisdiction of the United States; the organised hostility of a Government obedient to the impulses of popular hatred pursued them across the wilderness, harassed them in the remote oasis created by their industry, threatened them with destruction by military force, and finally wrested from them the liberty they had sought at a greater distance, and at heavier sacrifices, than the Puritans who found in New England an asylum from the tyranny of Strafford and the bigotry of Laud. The cases are nearly parallel. Polygamy was an excuse gladly seized for a persecution which had done its worst before a system, appealing, like Puritanism itself, rather to the Old Testament than the New, was completed by a return to the practice of Abraham and Jacob, Saul and Solomon. Whether the suppression of polygamy by legal

persecution and popular violence be consistent with perfect religious equality is at least questionable. The most tolerant Government on earth, that of British India, has decided the question in the negative. But polygamy was no part of the original teaching by which in the fourth decade of this century Joseph Smith, a dreamy, ingenious, restless, half-educated peasant youth, gathered round him a knot of ardent disciples, and presently founded communities whose discipline, union and prosperity astonished and infuriated the populace of Ohio, Missouri and Illinois.

Those who have made themselves most familiar with both will trace a close resemblance between Mormonism and so-called Spiritualism, and more than one Spiritualist has pronounced Smith a medium possessed or inspired by spirits of that type with which the attendants at physical séances are best acquainted. Contemptible imposture as it is, the Book of Mormon contains as much sense, truth and grammar as the revelations taken down by writing, rapping and trance mediums from the dictation of inglorious but not mute Shakespeares and Miltons. Experience has taught even Spiritualists that no reliance can be placed on the veracity of their supernatural visitors, and intimate familiarity with the Bible might have reminded the Western Prophet that lying spirits have been permitted to speak through the mouths of his predecessors. The golden plates he alleged himself to have found, from which he miraculously deciphered the history of the Lost Tribes of Israel, seem to have resembled some subsequently discovered in the same region. It is said, on dubious authority, that his accounts of the Israelitish descent of the Red Indians and of prehistoric American history were derived from a very dull unpublished novel with which he intermixed his own revelations and prophecies. But in ignorant, excitable, mystical dreamers, as in children, close imitation is no proof of conscious plagiarism. The religious teachings of the Prophets Moroni and Mormon, interspersed with the record, are nowise original or impressive; and it was not on the Book, but on the revelations directly vouchsafed

to himself—and probably on a magnetic influence seldom possessed by mere impostors, and generally associated with that mystical enthusiasm which has characterised every founder of a new faith, from Buddha to Wesley—that Smith's ascendancy over a rapidly increasing band of devoted disciples, and the distinctive principles of the Mormon creed, were founded. What that creed actually is or was is by no means clear; for how much of it Joe Smith was really responsible is yet more doubtful. What seems certain is that, as first presented to the ignorant and unlearned, it struck them as a practical and consistent realisation of the religion they had learned in the chapels and Sunday-schools of the more extravagant and less enlightened dissenting sects—as not differing greatly, save in fidelity to its ideals, from the tenets of the Baptists and Primitive Methodists as presented by illiterate preachers.

No prophet, probably, ever doubted his own inspiration: none of those who have established a permanent hold on mankind were other than passionately truthful men—teachers of great and luminous truths, whose defect lies in what they neglect rather than in what they enforce. The simple, stern veracity of the Apostle of Arabia no reader of the Koran can mistake. He was perhaps the greatest human genius that ever combined the mystic with the man of action. Joe Smith belongs to an infinitely lower type—that in which it is hard to distinguish between insanity and imposture. He was saner, and therefore probably less honest, than George Fox or Ann Hutchinson, but there can be little doubt that he had deceived himself before misleading others. The distinctive peculiarity of his career was that, like more than one partially successful modern fanatic, he aspired to be founder as well as prophet, and his leading idea was to gather the Latter-day Saints together in an industrial community under a strict theocracy. Nearly all his experiments promised success, had their peaceable development been permitted. From Kirtland in Ohio, from Jackson county in Missouri, the Latter-day Saints were driven by brute force inspired by a jealousy political rather than religious, by democratic hatred of the



powerful vote wielded by a single despotic leader. No attempt was made by the lawful authorities of the State to protect peaceable, well-behaved citizens from the worst atrocities of mob law. As soon as the hive was built and honey worth stealing stored, the populace of the neighbouring districts, supported in Missouri by the Governor at the head of the State militia, expelled and plundered the Mormons, butchering men, outraging women and young girls, robbing, burning and murdering. The Mormons were as yet a people whom any of the Western States, whose prosperity depended on the rapid filling up of their fertile land with an industrious population, might be glad to invite. They obtained a promise of security, a grant of land and a municipal charter of extraordinary liberality, securing to them the self-government, almost the independence, of a State, from the Legislature of Illinois, and there built under the direction of the Prophet the City and Temple of Nauvoo. No more moral, quiet, sober, harmless community, none which if left to itself promised to thrive more surely and deservedly, was to be found in the whole State. They were hunted by their Missourian enemies with writs of arrest on charges notoriously and impudently false; but their charter enabled them to protect themselves till, in 1844, the city government was rash enough to imitate the repressive methods in fashion with its neighbours, and to extinguish by force a paper started in Nauvoo by certain Mormon apostates. The injured parties complained; the municipal court of Nauvoo set aside their suit. Their hostile neighbours, who had no legal or practical concern in the matter, mustered in force, the militia were called out, and Governor Ford took part with the aggressors. Joe Smith, his brother and another of his associates went to Carthage, the chief seat of their enemies, to answer for the suppression of the paper. They were tried, and released on bail of \$500 to come up for judgment. Immediately one of the gang of law-breakers, at whose disposal Governor Ford had virtually placed the military force of the State, obtained a writ and arrested the Mormon leaders upon an utterly ridiculous but unbailable

charge of treason. The Governor left the brothers with two other Mormons in prison under the charge of a detachment of militia, while he went to Nauvoo. Ford had personally pledged himself for the protection of the prisoners, but it is very doubtful whether he were not aware of what was intended. On June 27, 1844—in his convenient absence—the gaol was forced with only a simulated resistance. The Prophet could have escaped, but scorned to do so, because he had been charged with cowardice for evading a previous arrest, intended to afford an opportunity of assassination. He and his brother were butchered and their companions left for dead. Ford pretended to prosecute the murderers with vigour, but the trial resulted in their acquittal. The assassins, aided by the Governor, extorted from the surviving Mormon leaders a promise to abandon their city and their lands, and betake themselves to the Far West. Such was the manner in which the Governor, the Legislature, and the people of Illinois gave a willing sanction to a treacherous murder, and confiscated the fruits of the industry of invited, confiding and unoffending guests.

By this time the revelation of polygamy had been given to Smith, but was kept strictly secret. Mormon missionaries in Europe, some honestly and some dishonestly, persisted for years in denying its existence. Their theocracy had fallen into stronger hands than those of Smith. With a decent education, Brigham Young might have been one of the foremost public men or generals of the Union. Few ever combined so signally the magnetic influence of a great leader of men with consummate administrative skill and instinctive statesmanship. The bold conception of a march across the Western desert, the foundation of a community outside the dominions and beyond the reach of the United States, was of course sanctioned by a revelation ascribed to the Prophet. The business-like sagacity of the plan, defective only by lack of knowledge, the daring of the venture and the skill with which it was carried out, bear the stamp of practical genius sustained by fanatical enthusiasm rather than of a man like Smith, half mystic, half impostor.

Expelled from Nauvoo, robbed of nearly all they possessed, the afflicted people moved slowly westward, and their pioneers established camps on the sites of more than one of what are now the most thriving cities of the Far West. At last, at the bidding of Brigham Young, in the spring of 1847, the great body of the Mormons—men, women and children to the number of twenty thousand—undertook an exodus among the most trying and terrible recorded in history. Accompanied by waggons and cattle, they actually made their way across a barren waste of sand and salt which afterwards tried and broke down a military expedition sustained by all the resources of the War Department. Their sufferings and their losses were of course appalling. Their chief at last arrested their steps and chose their new home by the Great Salt Lake, in a desert which only elaborate irrigation could render habitable.

The Mexican war had broken out. It was no time to waste strength in the pursuit and destruction of the unhappy fugitives, and it may be that the President and the more respectable members of the Government at Washington were ashamed of the long series of lawless outrages by which the States of Illinois, Missouri, and Ohio had belied the favourite vaunts of American civilisation, and showed not only that law was impotent and justice hopeless, but that the boast of civil and religious liberty was a mockery and a snare. The Mormons were persuaded or compelled to furnish a battalion for the war, to whose services the conquest of California was largely attributable. The pay, furnished to them in advance, helped at least to sustain their families during their absence. In the meantime the colonization of Deseret—the Mormon name of Utah—or rather of the country around Salt Lake City, had proceeded with marvellous rapidity and, considering the character of the soil and climate, with marvellous success. The country was one in which no secular community dependent upon agriculture would have attempted to settle; one which nothing but concerted labour on a great scale could have rendered productive. The organized working force of the colony, inspired by religious enthusiasm with a steadier

and more resolute industry than men so ignorant and inexperienced, working for themselves, would have displayed, was brought to bear, to water the arid soil and turn the waste into a garden. The city was laid out and built, the fields planted with wheat, potatoes and vegetables, not by a number of isolated families, but by a force of many thousand labourers acting in energetic co-operation and strict subordination under a single head; a head gifted with marvellous powers of organisation, with unquestioned authority and with the most valuable of all a ruler's qualifications, instinctive tact and judgment in the selection of men. Before the provisions they had brought with them were exhausted, the Mormons had secured crops such as could under no other circumstances have been extorted from that soil. Their chiefs were too often greedy and selfish; forbore to share, as the chiefs of a religious society were above all men bound to share, the hardships and privations of their followers. But Brigham Young had contrived to combine with a burning and unquestioning zeal a stringency of discipline which silenced all murmurs, a faith in himself which kept up the hopes of his people in the deepest adversity and in spite of the darkest omens.

Fortune favoured him in the speedy discovery of the Californian goldfields. Caravans that could not carry sufficient provisions for the journey across the continent speedily learned to rely on Utah for the latter part of their route, and opened to the Mormons a market at the highest prices for all the produce they could spare from their own needs. Their converts were taught to look to the New Zion as their earthly home, to make every effort, to endure every privation, face all risks, in order to attain the land of their promise. Emigration was to them all, and more than all, that the pilgrimage to Mecca is to the Mahometans, that the visit to Jerusalem is to a great part of the Greek Church; a paramount religious duty as well as the beginning of earthly peace and prosperity. They were promised all of which such emigrants feel their need, for want of which so many whom emigration would transfer from penury and want to abundance and to hope

remain at home. They started under the guidance of chiefs familiar with the route, in organized bodies, bound together by the tenderest charities and the warmest mutual regard, to be received on landing by friends who were to take immediate charge of them, and convey them by the railways of the settled States and the caravans of the desert to the home already prepared for them, to a society where they would be received not as strangers but as brethren, a community of which they were already members.

How far these promises were kept is a point bitterly disputed, as indeed is almost every important point of Mormon history, every question affecting the character, conduct and motives of the leaders of the Church. All available information comes from sources tainted by apostasy, by unscrupulous zeal or by evident ignorance. That the Mormons have been from the first calumniated by renegades, to whose instigation some of the worst outrages in Missouri and Illinois can be directly traced, is beyond question.<sup>1</sup>

<sup>1</sup> No one, for example, can read Mr. Stenhouse's *History of the Rocky Mountain Saints* without being struck by its virulent unfairness and bitter personal feeling. The very tone in which the writer speaks of the unprovoked expulsion of the Mormons from Missouri and Illinois, his wholly different language in describing the outrages committed by the anti-Mormons of the Prairie States, and the vengeance mostly taken at a time when Utah was threatened with a military invasion by the Federal Government, would suffice to stamp him as a blind and bitter partisan. He gives anonymous authorities for his worst charges. He declares that he has not used information acquired by him in Brigham Young's service, or afforded to him by persons similarly situated, while his keenest insinuations and most damaging accusations, especially those affecting the personal habits and pecuniary integrity of the autocrat, can obviously have been derived from no other source. The *Englishwoman in Utah* discredits herself from the first by her unconscious self-revelations. Her sketches, true or false, of the home life of Brigham Young, the personal history of his several wives and of his domestic preferences, troubles, and mortifications, belong to the lowest kind of gossip. Messrs. Remy and Brenchley write as men who have done their best to get at the truth with very scanty opportunities. They were shrewd enough to feel that no mere imposture ever took so deep a hold on the faith and feelings of tens of thousands; that no creed obviously base, selfish and sensual ever inspired the zeal of martyrs by the score and confessors by the hundred; that no mere scoundrel ever achieved those marvels of industry and organization, or acquired that thorough hold on the trust and obedience of a people, which testify to the power and character of Brigham

If the Mexican war secured the Mormons of Salt Lake City from molestation, the peace was the beginning of troubles. Its terms deprived them of the security they had sought at so terrible a sacrifice, the independence for which they had abandoned the homes created by years of patient industry in Ohio and Illinois, and had undertaken a march not less perilous than Napoleon's invasion of Russia and infinitely more arduous than Lord Wolseley's expedition to Khartoum. Utah belonged, or had belonged, to Mexico, but its only population consisted of a few wild Indian tribes. The authority of the feeble Government of the Mexican Republic had never really extended north of a line drawn from the mouth of the Mississippi to that of the Colorado. In the whole of the vast region between 32° and 42° N. lat., including Nevada, Arizona, New Mexico, Utah and Colorado, with a great part at least of Kansas and Nebraska, there was neither government, regular settlement, nor cultivation. It was still open to any adventurer who should repeat with larger resources and better organisation the attempt of Aaron Burr, and found an independent power upon the slopes of the Rocky Mountains. The peace transferred the whole of this vast territory to the

Young. But their reasonable incredulity made them credulous, induced them to lend too ready a belief to the self-vindication of calumniated men, to suppose that, because the apostles, high-priests, and elders of the Latter-day Church were not mere self-seeking, sensual impostors, there was no taint of imposture or insincerity in their conduct and reasoning. No man or woman of decent education and intelligence could have swallowed the Book of Mormon. Its votaries, taken with few exceptions from the lowest and most ignorant classes of Europe and America, were sincere in exact proportion to their ignorance, folly and fanaticism; and, like most fanatics, acted, consciously or unconsciously, on the belief that the end sanctifies the means, that religion is more sacred than truth, that the suppression of scandals damaging to the credit of the Church is an obvious religious duty. The prolonged concealment and even denial of the revelation of polygamy is sufficient to brand all Mormon witnesses to Mormon virtue, to the immaculate character of the saints and the veracity of their chiefs, as wholly untrustworthy. I give in the text what, after much reading and pondering, I believe to be the truth; but that truth is extracted from a number of witnesses, of whom few indeed are at once competent and honest, and none unbiassed. And for no single statement, except those which relate to the treatment of the Mormons before their emigration and to the conduct of the Federal Government and authorities towards them, would I venture to vouch as for any other part of this history.

jurisdiction of the United States, and replaced the Mormon emigrants under their former persecutors and tyrants.

At first the jurisdiction was exercised with prudent forbearance. Utah was not worth coveting, and, bitter as was the animosity of the North-Western States, they could hardly find excuse for its further indulgence. President Fillmore adopted a policy which at once pacified the immediate alarms of the Mormons and secured a formal recognition of the Federal authority, which could at any convenient season be made the basis of its violent or gradual assertion. For the present, the actual chiefs of the Mormon community were invested with formal authority as representatives and agents of the Federal Government. Brigham Young himself was appointed Governor of the Territory of Utah, and the subordinate administrative and judicial offices with few exceptions were bestowed upon candidates of his choice, all of them liable at any moment to summary removal at the pleasure of the President. The gold discoveries, the rapid and enormous emigration, the filling up of California, the establishment of a regular route across the plains and through the passes of the different ranges of the Rocky Mountains, brought Utah year by year practically nearer to the States, subjected the Territory, and even the settlements in the neighbourhood of the Salt Lake, to Gentile intrusion, and drew insensibly around the Mormon community the meshes of the Federal power. The Gentile officials first appointed (1851) were, by the confession of bitter partisans and of reconverts like Mr. Stenhouse, taken from the lowest and most unprincipled class of place-hunters. Honest men did not want to go; and Utah afforded a convenient means of providing for adherents and rewarding services too discreditable to be recognised near home. As Salt Lake City became a pleasanter place of abode, Territorial offices were sought by men less notoriously disreputable; but it was always a convenient sink for the worst offscourings of party. Governor Cumming, whom Captain Burton<sup>2</sup> found in office in 1860— and who made it a condition of his acceptance

<sup>2</sup> *City of the Saints*, chap. iv.

that there should be no active interference with Mormon institutions—was a rare exception, and was vilified accordingly.

Brigham was too clear-sighted not to discern the danger, when his rooted policy of isolation was thus thwarted by circumstances, and at the same time far too shrewd to give occasion of offence to public opinion or provoke the interference of the Federal Administration. If the Gentiles were not welcomed, they were not persecuted. A quiet moral and social pressure restrained the more prudent among them from active hostility to the Church. To the Californian immigrants such a half-way station was simply invaluable. The city itself lay many miles out of their route. The traffic brought the Mormons those ordinary comforts of life, tea, sugar, clothing and tobacco, which, even when amply provided with all the necessities their industry could produce, they had sorely missed. The supplies they furnished lightened by a third the load with which the emigrants must otherwise have laden their waggons, drawn by oxen, among which a team of mules was a distinction as signal as a coach and six in the pre-railway and pre-turnpike days of England. But the old bitterness of social and political rather than religious prejudice, the resentful American hatred of polygamy and theocracy, rapidly revived with the renewal of communication. Reports of the growing wealth of the exiled community excited the greed and envy of their ancient enemies. The strict moral police of the Salt Lake City irritated the Gentile intruders, and numerous stories of persecution or ill-usage, most of them false, all of them exaggerated, inflamed the ill-will of the Eastern populace and excited clamorous demands for Federal interference, such as in any other Territory would have been deemed oppressive and unwarrantable.

It might be assumed without proof that the Mormon rulers, like the first settlers of New England, discouraged by every indirect means they could safely employ the settlement of strangers in the country which they had made their own, and that few of the intruders were desirable members of a religious community. Brigham was probably aware of the existence of



valuable minerals in the mountain ranges which traversed his dominion, and anxious as far as possible to prevent or retard their development. The Mormon theocracy was a government only suited to a simple agricultural society. The independence, enterprise and separate interests, the individual wealth, intelligence and enquiring spirit encouraged by mining and mercantile adventures, the character and temper of a diversified society, were unfavourable to the strict ecclesiastical discipline, the inquisitorial despotism, the paramount devotion to the Church and community required by the Mormon system. On the other hand, while its mineral resources were still generally unknown, Utah offered no attractions to peaceably disposed, inoffensive, respectable unbelievers. Those who came came prejudiced against and prepared to defy the Church, ready to engage if necessary in a life of conflict. The best among them were a few restless and eager fortune-hunters, hoping with considerable risk to grow rapidly rich at the expense of a simple and ignorant people, wealthy in the absolute necessities of life and easily induced to pay exorbitant prices for its comforts and luxuries. For the vast majority of the Gentiles, Utah could only be an asylum. Its one attraction was an isolation agreeable only to fugitives from Eastern law, or from the yet more summary proceedings of Californian justice. Around these naturally gathered the most dangerous, if not always the worst, of its proper settlers, men and women who had been drawn thither by the secular rather than the religious promises of Mormonism, and whose faith had consequently broken down under the arbitrary demands made upon them by the Church or the vexatious interference of its chiefs. In the earlier days of the Salt Lake City the position of apostates had been exceedingly trying and perilous. Excommunication was at first a yet more effective and terrible sentence than in the days of mediæval Romanism, and flight across the desert scarcely more possible than escape from the worldwide despotism of the Cæsars. With the growth of a Gentile community the renegades, whose tales, true or false, were greedily received by the enemy, and whose former position

in the Church gave them a certain influence upon the weaker brethren, became dangerous; especially when one or two of the nearest relations of the original Prophet, naturally envious of the actual heir of his power, and relying on an hereditary sanctity which Brigham himself was forced to respect, ventured to set up an opposition within the Church, to deny the polygamic revelation ascribed with apparently indubitable truth to their father, and to denounce his successor as an usurper and impostor.

Pierce in the later days of his term had shown a growing hostility to the Mormons. Buchanan's first measures indicated a determination to force the Saints to choose between open revolt and submission to an alien authority. In 1857 a formidable military force was despatched to instal a Gentile Governor and a set of Gentile authorities in Salt Lake City. But their cavalry, the most essential arm in such a service, was detained by the troubles of Kansas; and Brigham Young harassed and delayed their advance in a manner which displayed consummate practical prudence and no inconsiderable military genius. The Mormons were forbidden to come to an open engagement, but instructed to use all their efforts to stampede the enemy's cattle and deprive him of the means of progress. This programme was carried out with skill and success; and the expedition was detained for a whole winter in a position of no common distress and danger about half-way on its route, as far from its base of supplies on the banks of the Mississippi as from its objective on the Great Salt Lake. Of the political adventurers, avaricious traders, and other civilian camp-followers a great majority are said to have perished, and few will be disposed to pity their fate. The appointment of Colonel A. S. Johnston, one of the very ablest of the senior officers of the small regular army, produced a signal change in the face of affairs. He at once recognised and obtained the resources necessary for such a march. In the meantime Colonel Kane, an officer whose loyalty to the Federal Government was as unquestionable as were his gratitude and good-will to the Mormons, to whose

kindness he had been deeply indebted, visited Salt Lake City and laid before Brigham Young a practical soldier's view of the situation. Despite his positive prophecies of victory, the confident assurances he had given that the miracles of the Jewish conquest of Palestine should be renewed on behalf of the Latter-day Saints, Brigham was too practical a man to trust the spiritual arm, or the enthusiasm of a brave and devoted people, against the military resources of modern civilisation. He had not, like Mahomet, the instincts of a warrior chief, nor could he, like Mahomet, repose a soldier's trust in religious enthusiasm as against mere numbers armed with the same weapons and practising the same rude strategy. He gave way, accepting the new rulers; and Governor Cumming, escorted by a body of Mormon troops, entered Salt Lake City and assumed his functions. In so doing he quarrelled with Colonel Johnston, and during his period of office the civil executive of the Territory and the judiciary, backed up by the military, were at constant feud. Colonel Johnston insisted on marching his army in triumph through the city, which by Brigham's order had been evacuated by the Faithful, every house being filled with combustibles. But the understanding arrived at between Brigham and Governor Cumming saved the Mormons from a new emigration, which must have involved yet more cruel sacrifices and a yet heavier loss of life than those to which they had been previously forced.

While the Federal invasion was impending, more than one caravan of Californian emigrants had passed through the Mormon country. One of these had given special provocation. It is said that some of the murderers of Mormon missionaries and martyrs, if not of the Prophet himself, were recognised among the party; that they indulged, after the loud-voiced, boastful fashion of the Far West, in vaunts and threats directed against Brigham and the Mormons in general. The immediate consequence was that Brigham employed his authority to inflict a perfectly legitimate and very effective retaliation. The emigrants had relied on Mormon assistance and supplies. The Mormons were forbidden to trade

with them. They could obtain nothing. Not even a sack of flour or of potatoes could be bought on any terms.<sup>3</sup> Had the vengeance of the Mormons stopped here, it would not only have been fully justifiable, but a signal example of forbearance on the part of those who were now threatened with expulsion from the third or fourth paradise of their own creation. For some inscrutable reason the total destruction of the caravan was resolved on. The Indians, who were on excellent terms with the Mormons, were to share in this exploit. The emigrants formed a corral—a square covered by their waggons, with their cattle and families inside—and maintained a three days' obstinate fight for life. Unhappily they had chosen a position some fifty or a hundred yards from the nearest spring, which was commanded by a rocky covert, occupied, or liable to be occupied, by the Indians. This was a fatal mistake. The Indian rifles might have cost them a few lives; the want of water compelled them to surrender. Every man and woman, and, it is said, every boy and girl thought old enough to give an intelligent answer, was butchered in cold blood. The little children were spared, and this humanity was immediately seized as evidence that the massacre had been directed and controlled by the Mormons. No Indians, it was said, probably with truth, would have forborne to complete their tale of ghastly trophies with the scalps of harmless and helpless infants. That the massacre was, if the first

<sup>3</sup> The temper of Mr. Stenhouse and of the readers to whom he appeals is vividly shown in the language in which he speaks of this regular and bitterly provoked boycotting. The Mormons were under no obligation to sell, and their chief was perfectly entitled to use his secular and spiritual influence to prevent their doing so. Yet his quondam secretary and would-be son-in-law denounces this measure of peaceable severity in stronger language than he applies to the murderous outrages and deliberate preparations for wholesale massacre by which the Mormons were driven from Nauvoo. As regards the sequel of the story, Mrs. Stenhouse cites John D. Lee's confession as supporting her own story, and even ventures to print the confession in an appendix, evidently trusting that no reader would study it so carefully as to see that it gives the lie direct not merely to the principal details but to the substance of her narrative. For Lee, on whom she charges the whole responsibility, emphatically repudiates it, and declares that he bore but a passive and unwilling part in the deed in which Mrs. Stenhouse makes him the chief and most ferocious actor.

attack were not, committed under Mormon control and supervision there is no longer any reasonable doubt. Atrocious as it was, it was less atrocious than the crimes which Mormon apostates and Christian enemies of the Mormon Church excuse or pass over with perfunctory condemnation. The sufferers of Nauvoo, Kirtland, and Jackson County were unoffending victims, 'in the peace of God and the State.' The emigrants were the kinsmen and countrymen of those whose hands were red with Mormon blood, citizens of a country actually engaged in the invasion of Utah ; and no reprisals, however sanguinary and treacherous, can fairly be placed on the same level of atrocity as the wanton deeds of blood that had provoked them. The Federal Judge called on the Mormon Grand Jury to present the authors of the Mountain Meadows massacre and of other crimes committed in the interest of the Church. The Grand Jury of course returned no true bills, and the Judge denounced them in no measured terms.

While the Federal troops remained in the neighbourhood of Salt Lake City several plots seem to have been laid for the arrest and trial, if not the deportation, of Brigham Young and other Mormon leaders. The outbreak of the Secession War compelled the removal of the regulars, and secured four years of peace to the Mormon community. They were nevertheless wantonly insulted by the encampment in their vicinity of volunteer forces, whose presence could have no other effect than to inflict annoyance or provoke collision. The Mormons could have destroyed them at a blow ; and even the influence of Brigham was strained, during the whole period of the war, to prevent a conflict which would have afforded a pretext for a Federal crusade and another expulsion or extermination. The Civil War and the high-handed measures of reconstruction that followed it annihilated the last scruples of respect for constitutional principles, for American theories of civil and religious liberty, which had hitherto helped to protect the people of Utah. Congress has never dared to interfere with the divorce laws of Illinois, which practically render marriage a contract terminable at will ; but it has not hesitated to pass

penal laws against Mormon polygamy, which, however, the want of evidence and the convictions of local juries have hitherto rendered inoperative. It has been proposed, by a test oath which no Mormon could take, to pack the juries, bringing the Saints, in fact, to trial before their declared enemies; and such a measure would be in perfect keeping with the principles of civil and religious liberty exemplified in the treatment of the Mormons for the last forty or fifty years. Utah has been retained in Territorial pupillage, while neighbouring territories with one-third of her population have been admitted to the rank and independent privileges of States; a distinction expressly and avowedly based upon the religious tenets and practices of the inhabitants, and one which, whatever its practical justification, utterly falsifies the vaunt of American writers and Fourth of July orators that no man in the Union is deprived of any civil right or political privilege on theological grounds, that all religious sects, Christian or non-Christian, stand upon an equal footing before the law.<sup>4</sup>

<sup>4</sup> That the general morality of the Mormons was theoretically and practically stricter than that of average Christian societies, though relaxed by enforced association with strangers, admits of no reasonable doubt. But for the Gentiles 'the great sin of great cities' would be unknown in Utah. The honesty of the Saints, the sincerity of their faith, their mutual kindness and charity and implicit devotion to the Church, are beyond question. That polygamy nowise conduces to the domestic happiness of women educated in Europe—for comparatively few of the later Mormon converts have been drawn from the States—may be naturally supposed. The fact that polygamy is one of the oldest, most widespread, and most stable of human institutions; that orthodox Christianity recognises in its Master the last representative of a polygamic house, and canonises the patriarchs, princes and warriors of the Old Testament, polygamists by Divine permission—are arguments familiar to the minds of Mormon women and not without effect upon them. What is doubtless with many a more practical consideration, the plural wives of Utah were drawn from communities one-third of whose women are compelled by the social conditions of the age to forego the hope of marriage. The last consideration may account for the thousands of annual converts latterly made by a religion of which polygamy was a leading principle and notorious tenet. The truth concealed under Mrs. Stenhouse's sweeping exaggerations is doubtless this: the women like herself, married under monogamic law, have naturally resented and seldom forgiven the subsequent lapse of their husbands into polygamy.

Before pronouncing the Mormon system a mere phase of lawless sensuality, the masculine reader who cares to be just and candid on such a subject should least consider the physiological argument in its defence cited by Messrs. Remy

and Brenchley ; not for the value of the reasoning but for the light it throws on the professed character of Mormon polygamy. The theory at least is calculated to present itself to a predisposed convert as anything but licentious (*Journey to the Great Salt Lake City*, vol. ii. pp. 101-2). These writers, while bearing strong testimony to the general morality of the Mormon adults, allow that their children are far from being models of innocence. 'But as far as external experiences go Utah is the most moral country in the world. All the males in it are usefully employed ; we met neither sluggards, idlers, gamblers, nor drunkards.' After ten years' travelling they would, but for the moral condition of the male children, pronounce the Mormon society the most remarkable for public order, pure morality, external decorum they had ever seen (vol. ii. p. 159). They testify, however, to rare instances of gross brutality and shameless injustice. It must be remembered that of the male population of Utah in 1858 only 3,600 were actually polygamists.

## CHAPTER XVIII.

## CHARACTERISTICS.

New England and Virginia—Puritan and Cavalier—English Character of the Border States—The West—The South-West—Slavery in Virginia and in the Gulf States.

THE tone of American manners, life, character and society, even at the close of the colonial period, varied greatly from State to State, and has undergone during the last century a signal and yet more varied development. There was in 1790 a marked distinction between the North and South, between the New England and the Middle States, between the Border and Southern Slave States. 'Mason and Dixon's line,' as it was called from the surveyors to whom the demarcation of the artificial frontier between Maryland and Pennsylvania was entrusted, was the boundary of two essentially different and constantly diverging civilisations. No phrase is of more frequent occurrence in American history, politics and satire. It is used seldom or never in its strict geographical sense, as marking the State line commencing with the Delaware and ending on the Upper Ohio, but as the border between North and South, between slavery and freedom. It acquired this use while as yet slavery existed, legally and practically, in many of the so-called Free States. In this sense it divided nations of common blood and language, but in character, thought, social institutions, economy, industrial organisation, more unlike than France and Spain, Germany and Russia. The distinction between East and West was, if less profound and permanent, superficially no less marked and unmistakable. But while the former border line was fixed the latter was ever shifting. In a broad general sense it was defined by the crest



of the Alleghanies; but while some of the Eastern States extend to the westward of that range, there were long, and perhaps are still, extensive regions on the Eastern side essentially Western in circumstances and character. In New England itself the lumberers of Northern Maine had more in common with the backwoodsmen of Ohio than with the farmers, manufacturers and traders of Massachusetts and Connecticut.

The characteristic peculiarities of Northern and Southern civilisation were, and still are, most marked in Virginia and New England. These have the longest history, the deepest rooted traditions, and retained, down at least to 1860, with the least alteration the original features of the colonial period. A strange accident gave to the Cavalier and Puritan emigrants of the seventeenth century respectively countries congenial to their several temperaments, such as must develop in appropriate and divergent directions their distinctive qualities and hereditary tendencies. The gloomy and sullen hardihood of the Puritan had a close analogy with the unproductive soil, the ungenial climate, the bitter winters and bleak springs of New England. The fertile and well-watered soil, the numerous broad and navigable rivers, the favouring seasons, the warm but not relaxing air of Virginia, were equally suited to the daring, enterprising, sanguine spirit, the energetic rather than laborious temper of her original settlers. The former became perforce a land of moderate-sized farms, of settlements drawn together by the common tastes and habits of the people, and above all by the necessity of self-defence; of independent democratic communities, of moderate fortunes. A varied industry was ensured by the comparatively scanty fruits of agriculture, the temptations of the fisheries and the trade they created. The poorest families were independent; the richest could command but little hired labour, and that little at home and abroad they must share as well as direct. Their children were from infancy obliged to assist, the boys in the lighter field work, the girls in their mother's domestic duties. The long winter was their school time, and the teaching of the school was encouraged, supplemented, explained and enforced

by the yet more valuable training of a strict, a religious and a busy home life. The conditions of that life kept the children constantly in company and sympathy with their parents, associated them with the family interests, and familiarised them in daily converse with the faith and the morals of their parents. Their social surroundings, the atmosphere of their homes, protected them against that reaction which has elsewhere proved fatal to the hereditary influence of Puritanism. The yoke was released by intelligence and experience, not broken by violent and sudden revolt. In the larger seaports the accumulation of wealth created, with hereditary fortunes and, to a certain degree, hereditary leisure and culture, a quasi-aristocracy; gradually divorced by intercourse with the world, wider knowledge and reading, different interests and higher tastes, from the social and political traditions of a community still Puritanic in tone and temper. Thanks to the length and severity of the winter, the poorest families enjoyed a literary schooling almost equal to that of Scotland, an enforced leisure which kept up in after-life the habits of reading acquired in youth. Their literature, if not abundant, was select; their taste was formed, their thought developed and deepened by familiarity with the best works of the past, and a fortunate ignorance of the rubbish of newspapers, magazines and circulating libraries. The minister, the schoolmaster and a few others maintained in every village a standard of cultivation to which the better born and bred among their neighbours naturally aspired. The strict domestic discipline, the respect for elders, parents and teachers enforced upon the young, maintained a degree of good manners, marked alike by self-respect and respect for others, the absence of which is nowadays the most striking characteristic of a colonial society. The Revolution had a deteriorating influence. Of the natural aristocracy of Massachusetts, her elder political and commercial families, a great proportion were driven into exile. The breach with tradition, the revolt against authority, which is the very essence of rebellion, almost invariably lowers the tone of society and the standard of manners. The growth of

cities, the development of manufactures, the progress of democracy, the immigration from Europe, the emigration to the West, the rapid accumulation of wealth, for the most part in the hands of self-made and self-educated or uneducated men, greatly changed between 1820 and 1870 the industrial, moral and social character of the people of New England. The old hereditary homes wherein families of very modest means maintained, with the simple life and tastes of farmers, the bearing and repute of gentlemen, have almost disappeared. In the general society of the last two generations the Winthrops, the Winslows, the Eatons, and those of their grandchildren who, with a wider culture, emancipated from their gloomy bigotry, inherited their elevation of character, breeding and bearing, their tastes and manners, would find themselves very ill at ease. Such families, however, still exist, though generally in very different condition and fortune. In cities like Boston and Cambridge, or here and there in rural villages which have acquired a reputation of their own from the presence of two or three men of social and literary name, they form the best but the most exclusive society in America, a society to which unfortunately the English traveller finds rare and difficult access.<sup>1</sup>

Of pure English blood, consisting in large measure of younger sons and English gentlemen of broken fortunes, reinforced under the Commonwealth by an influx of men of birth and station who had lost everything in the royal cause, the planters of Virginia—living, as the minor English gentry generally lived until the beginning of the present century, on their estates, with an Irish lavishness of hospitality and a certain tinge of Irish heedlessness in pecuniary matters—formed perhaps the finest and most characteristically English type of the Anglo-Saxon race. The chivalric spirit and punctilious

<sup>1</sup> Many Englishmen knew one typical representative of this class—the late Richard Grant White. In his comparisons of English society with that in which he was born and bred, the reader will find abundant warrant for my general description, to whose truth, moreover, writers like Lowell and Whittier, Longfellow, Thoreau and Hawthorne bear unconscious and incidental, but none the less telling, witness.

courtesy of a former day have been preserved by the appeal to the duel still sanctioned by Southern opinion. Their society is that in which an Englishman finds himself most speedily and perfectly at home. Educated from boyhood in the exercise of authority on the one hand, and on the other accustomed to equal discussion of local, State and practical politics, in whose issue the safety of the country, the interests, and perhaps the fortunes, of every citizen were at stake—used even more than the aristocracy of England to the saddle, to field sports and to an outdoor life—the Virginians enjoyed for generations an unequalled mental and physical training, and proved themselves socially and individually, in the highest qualities of citizens and soldiers, equal to any English community in the world.

Pennsylvania, New Jersey, and New York—the city of that name, the commercial capital of the United States, cosmopolitan rather than American, and more Irish than English, excepted—are perhaps the most inherently American part of the Union. The interior of New York State is remarkable for its agricultural wealth; the characteristic and dominant element of its population, though generally swamped in politics, to its no small irritation, by the urban vote, consists of thriving farmers, owners of the soil they till, and, like those of England, almost always within easy reach of an urban market. The same may be said of New Jersey. Pennsylvania, with her vast mineral wealth and dependent manufactures, compares more fairly with a Midland district. But, unlike the latter, her politics—owing perhaps to her Quaker traditions, her geographical position, and her diverse interests—are marked by a prudence and coolness often approaching to indifference, rather than by the genuine moderation more properly ascribed to Virginia and Kentucky. The name of the Keystone State indicated her close connection both with North and South. The large Irish and German element attracted by her coal-mines and factories unites Teutonic stubbornness with Irish turbulence, and her frequent industrial quarrels have been pushed to unprecedented extremities. Secret societies only

less formidable than those of Connaught and Munster have terrorised the quiet and law-abiding part of the industrial community. Strikes have assumed the magnitude and even the form of insurrections; the State militia has been called out to enforce the law and protect property, not by military parades and harmless volleys, but by the serious use of rifles and bayonets, and even of artillery. On one memorable occasion the railways of the State and their great central depôts have been held by armed and organised insurgents. Bloody battles have been followed by havoc such as an invading army might have inflicted, the forces of the State have been repulsed, and the appearance of the Federal flag and uniform—resistance to which has since the civil war assumed the odious character of treason—was necessary to restore order. The Quaker enthusiasm, so marked in the earlier history of the State and even in the crisis of the Revolution, has died away as in the mother country; but, as in England, may still be traced in the pre-eminent devotion of the Keystone State to the national worship of the almighty dollar.\*

The West, in American social and political geography, means not the Pacific States, nor yet the rude mining communities of Colorado and Nevada or the vast grazing and wheat farms rapidly springing up in Dacotah, but the West of Colonial and Revolutionary days, the Prairie States between the Alleghanies and the further border of the Mississippi valley. Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri and Kansas were at the beginning of this century as remote socially and morally, in time if not in miles, from Boston and New York as Natal and Queensland now are from London and Liverpool. This region is the America of European readers. The popular notions of American life and scenery, manners and society are drawn from that West as it was when Mrs. Trollope and Dickens visited it some sixty and forty years ago. Their descriptions no more apply to Chicago, St. Louis and Cincinnati

\* But to scorn such i-dollar-try 's what very few do,  
And John [Bull] goes to that church as often as you do.—LOWELL.

as they now are than a description of Botany Bay in 1800 to the capital of New South Wales in 1886. Virginia is English, Massachusetts Scotch, California Australian, 'with a difference.' But the America which interests the economist, the political philosopher, the emigrant, the speculator—the America where all the resources of Old World civilisation are brought to bear upon an unlimited area of fertile land, in which the great experiment of social as well as political democracy is on trial, the vast cornfield and grazing ground which feeds yearly a larger and larger proportion of the overcrowded population of the Old World, the boundless market for Old World manufactures, still half-closed by the protectionist zeal of the East—lies between the Alleghanies and the central desert. Its institutions, its policy, its universal education, its common schools, its colleges and universities, adapted to modern ideas and to the needs of a new country, are American in origin and idea, are derived from those Eastern States in which, as writers like Mr. Grant White insist, the American character and the traditions of the original Anglo-American nation are to be sought. But the population of the West is rather cosmopolitan than American, consists in enormous proportion of men whose very names and features attest their Irish or German descent, and is constantly recruited by fresh swarms of Irish, German and Scandinavian immigrants. The America of vulgar caricature, of the bowie knife and the revolver, of daily murders and monthly highway robberies, of lynch law, of vigilance committees, must be sought—if anywhere—beyond the furthest border of the elder West, on the upper waters of the Missouri and the Red River, along the cañons of the Colorado and the gold and silver bearing spurs of the Rocky Mountains, or on the boundless plains of Texas.

The South and the South-West, again, have and have had from the first a character of their own. The Cotton States of the Atlantic seaboard and the Gulf, from Cape Hatteras to the Sabine, resemble Virginia and Maryland less than New York and Pennsylvania resemble Massachusetts and Connecticut. The French and Spanish influences—insignificant as

is the proportion of French and Spanish blood—are far more apparent in their social and political character than those of the more numerous Hollanders in modern New York, or those of the Swedes in Delaware. Slavery, moreover, which in the border Slave States was seldom a dominant, and never an exclusive social, political or industrial influence, was the governing element that formed the character and determined the political and economic organisation of the Carolinas, Alabama and Louisiana, Mississippi and Tennessee. As Virginia and Maryland are essentially English, Arkansas and Missouri are essentially Western. Mississippi and Tennessee are Western communities deeply modified by the peculiar institution of the South. Slavery itself presented a different form according to the different influences of nationality, social character and civilisation with which it was brought into contact. The Southern races of Europe, Frenchmen and Spaniards, have never shared that natural aversion and contempt for the negro which characterises the Anglo-Saxon. Small as was the French population of Louisiana, early as was the stage in its growth when that colony was transferred to the United States, the traces of French ideas, French laws and manners were visible in 1861. New Orleans was, while slavery existed, ‘the Creole city.’ It contained a class which could hardly have grown into existence or toleration in any other Southern city, a permanent free half-caste *demi-monde* whose recognition and semi-legal relations with the dominant race were characteristically French, and neither American nor Southern.

Slavery assumed perhaps its worst aspect, certainly was most liable to gross and atrocious abuse, when the rude energy, impatience and hardness of the West were brought into collision with negro indolence and shiftlessness; when men trained in a life like that of Kansas or Colorado at present sought to work a plantation in Mississippi or Arkansas as they had run a prairie farm in Illinois or Indiana; when men unhumanised by culture, untaught by hereditary tradition and domestic experience to govern an inferior race, men—to use the emphatic Southern phrase—not ‘brought up with niggers,’ sought to make a

rapid fortune out of the labour of helpless and unresisting dependents; when masters used only to the rudest forms of equality were suddenly left in absolute control of slaves, remote moreover from that control and restraint which custom and public opinion exercised in the denser settlements of the Atlantic Slave States. Southern slavery in the elder States resembled the patriarchal form of the institution with which Southerners habitually compared it, rather than those gigantic and unnatural developments, due to constant war and the accumulation of wealth in a few hands, with which Greek and Roman history has familiarised us. A few rich absentees might count their bondsmen by hundreds, but the ordinary planter knew every slave he employed, lived among them, saw to their health, food, clothing and comfort, picked from among them his house and stable servants, the confidential attendant of his wife and the nurses of his children. His family visited their quarters, looked to the aged and the sick, watched vigilantly over the rearing of the children, heard and reported the complaints of neglect or ill-usage, checked the zeal of the overseer, civilised and Christianised their people, and brought the influence of education, humanity, feminine tenderness and purity to bear upon a race which, whenever left to itself, sinks into slovenliness, dirt and squalor worse than that of the worst Irish hovel. From the Abolitionist platforms, pulpits and press, men who had never seen a Virginian home or Alabama plantation poured forth a flood of declamation and anecdotes of brutality, license and profligacy, generally exaggerated in atrocity and always in number. Absolute power must sometimes fall into hands unfit to wield it. The superiority arrogated by the lowest class of whites and felt by the negroes, the opportunities inseparable from subordinate authority however controlled, inevitably encouraged a form of license due not to legal power, but to the inalienable ascendancy of a higher and the irresistible instincts of a lower race. But there were among the Abolitionists a few well acquainted with Southern society. These men knew high principles, strong convictions, and domestic influence



of Southern women, the character of the Southern gentlemen whom they encountered in politics and commerce. These and other facts which must have fallen within their knowledge should have suggested misgiving and enquiry.

It was said—it may possibly have been true—that the blood of a Vice-President of the United States ran in the veins of slaves. It was true that, especially among the household slaves, there were several whose complexion and features at once attested their mixed parentage; men whose Anglo-Saxon blood revolted from the indignity of bondage, women and girls whose beauty was their misfortune. But few indeed of these inherited the instincts or the pride of cultivated parents. Stories of men enriched by the sale of their own offspring, of delicately-nurtured illegitimate daughters condemned to slavery by the intestacy or insolvency of their parents, rest on no evidence, and are out of keeping with Southern manners and feelings. Such a fate occasionally befell mistresses or illegally married wives and their offspring, but these belonged, with very few verifiable exceptions, to the lower classes, to whom domestic service or field labour involved little hardship and no degradation.<sup>3</sup> The abuses of slavery apart, its worst consequence was the ignorance to which it consigned not merely the slaves, but no inconsiderable number of the poorer class of whites.

In those States and districts where the vast majority of the labouring population, of those for whom in an ordinary state of society common schools would have been intended, were slaves, there was and could be no effective provision for the education of the scattered white families who could not afford to employ teachers at home or send their children to boarding schools. The laws which prohibited the instruction of the negro were inspired less by the motive commonly suggested, a fear that education would prove incompatible with

<sup>3</sup> On this point the *Key to Uncle Tom's Cabin* is really valuable, not for the instances given, but for the extreme difficulty with which a credulous and eager feminine partisan has been able to find as many isolated examples as might be counted on the fingers of one hand.

contentment in slavery, than by a desire to repress promptly and completely the indirect or secret working of an Abolitionist propaganda. They were directed to prevent the circulation of incendiary books, tracts and newspapers, and doubtless to afford a sharp and summary means of dealing with Abolitionist emissaries. It was easier to prove the fact than the character of their teaching. Whatever the law, Southern ladies did educate their favourite attendants. Men naturally preferred domestic servants who could read the address of a letter, and keep the accounts of the household marketing often entrusted to their charge. Northern testimony puts it beyond a doubt that a large number even of the plantation slaves could read the Bible, while not a few could scrawl a rude letter to the wife or children from whom fortune might have separated them.

This separation of families was doubtless one of the most cruel incidents of slavery ; incident, however, not to slavery itself, but to the constant migration characteristic of a new country and a rapidly increasing population. As the best soils of the older States were occupied, capital and labour, masters and slaves alike moved westward and southward. But the necessity which in the case of the freeman was moral and economical fell upon the slave with all the hardship of sudden and cruel compulsion. The strong domestic and local affections of the negro rendered this liability to involuntary transportation a peculiar terror. Sale to a new master even within the same State was generally felt as the severest of all punishments, the resort of masters too indolent or indulgent to maintain an effective discipline, the doom of restive, worthless or unmanageable servants. Again, the separation of the slave from his home was complete and final. The master could always correspond with and frequently revisit those among whom he had been born and bred. The terror with which the negro of the Border States regarded the Far South was in great part purely superstitious. Between Tennessee and Louisiana, South Carolina and Alabama there was little to choose. The labour of a Virginian farm was doubtless lighter, the discipline less strict than that of a sugar or cotton plantation in the Gulf States.

Above all, the change often meant removal from a higher to a lower civilisation, from that family servitude softened by personal knowledge and hereditary ties which characterised Virginia and Maryland to the rough life and mechanical discipline, the discomforts and hardships of a large promiscuous slave gang, in an unsettled country and an unfavourable climate ; among the bayous of the Mississippi or the swamps of Louisiana. Such might not be the negro's fate, but was always his fear ; and most of the runaways from Virginia, Maryland and Kentucky seem to have been goaded by that fear rather than by any actual suffering, any discontent with their present condition on 'ole massa's plantation.' Even in Abolitionist works, more than one fugitive frankly avows that he had nothing to complain of. He had lolled under the verandah of the plantation house, he had shared 'young massa's' play but not his tasks ; as he grew to the age for work he had been the favoured, well-dressed, indulged groom and valet of his former playmate ; he had fallen in love and been promised a comfortable cabin ; but *he was never safe*. Massa might die ; the establishment might be broken up and the slaves divided. He might not fear, while the inheritance remained with the old family, to be sold or parted from his wife, but he knew that there were already as many hands as the land could employ. His children, like the younger members of his master's family, must go South. Such foresight, such willingness to run the present and terrible risk of recapture and punishment was of course especially exceptional in the African race. But these rare instances betray the half-conscious uneasiness that overhung the happiest slave family in Virginia ; the calamities that change, death, quarrels, commercial misfortune in the owner's family might bring like a thunderbolt upon a hundred thriving, contented, attached and well-treated bondsmen, better clothed and fed, as well housed and far more lightly worked than Dorsetshire labourers or Flemish peasants.

The Southern planter of birth and family, of culture and good-feeling, regarded his relation to his slaves with the same sense of grave personal responsibility that an English

squire feels for his tenantry and cottagers. He was bound to them as they to him ; he had no more right to neglect or starve them than they to run away. Hereditary ties were quite as close and strong as on an old-fashioned English estate. The master was more reluctant to sell a negro born on the plantation than an English country gentleman to evict a tenant who, with his father and grandfather, had 'done his dooty boy the lond,' as the risk was greater, the possible, however improbable, hardship and cruelty incomparably worse. The slave-dealer was looked upon much as an English butcher or publican, scavenger or hangman—contemned for the voluntary choice of a necessary, lucrative, but odious and demoralising avocation. But the position of the Southern slave-owner was more precarious than that of the English squire. Misfortune might compel him to part with slaves he loved and valued ; and, worse, the custom of division at death, coupled with the rapid growth of a population so well cared for as the negroes of Virginia, must force most families in the course of a generation or two, if not to sell their slaves, yet to divide and send a number of them to new homes with the more adventurous of their master's sons. Again, some of the younger among them might form part of a daughter's dowry. The abolition of the African slave-trade had exercised an invaluable softening and humanising effect upon American slavery ; but the internal slave-trade was an inseparable and unavoidable evil, the one element in the condition of the negroes in Virginia and Maryland which troubled the consciences of their owners.

If the negro might see his children as they grew up transferred to the Far South, he had no fears for his old age. His would not be the cruel fate of a crippled or invalided peasant, the imprisonment of the workhouse or the degrading name of a pauper ; he could safely trust that he would not be discarded by the master who had enjoyed the loyal services of a lifetime. He was not liable to short time, scanty clothing and scantier rations, if the demand for Carolina rice or Virginian tobacco were suddenly diminished. His condition, so far as it depended on his master's will, was such as the master might compare

not unfavourably with that of almost any European peasantry, and for the occasional accidents which were his misfortune and not his fault the master did not reproach himself. The institution was there. Those who best understood it shrank with deepest reluctance from any attempt to abolish it—quite as much for the slave's sake as for their own. They dared not face the terrible difficulties, the tremendous responsibilities of emancipation. That such were their feelings, such their motives, is clearly proved by the fact that—vehemently as they resisted negro suffrage and everything looking towards negro equality—none of those who were ruined by emancipation, when imposed by force, ever expressed or displayed a wish to restore slavery. 'We are well quit of it' was, without a single exception, the conviction of every Southerner to whom I ever spoke upon the subject—even of those who thought that freedom had been no benefit to the negro.

The rapid progress of America after the establishment of its independence is to be seen at once in the population-records of the decennial census :—

|            |             |            |             |
|------------|-------------|------------|-------------|
| 1790 . . . | 3,929,214.  | 1840 . . . | 17,069,453. |
| 1800 . . . | 5,308,483.  | 1850 . . . | 23,191,876. |
| 1810 . . . | 7,239,881.  | 1860 . . . | 31,443,321. |
| 1820 . . . | 9,633,822.  | 1870 . . . | 38,558,371. |
| 1830 . . . | 12,866,020. | 1880 . . . | 50,155,783. |

In 1840, Mr. Giffen puts the city population at 8·5 per cent. of the whole ; in 1860 at 16 per cent., and in 1880 at 22·5 per cent.

BOOK VI.  
*THE WAR OF SECESSION.*

---

CHAPTER I.

SECESSION.

**Strictly Legal Character of the Movement—Withdrawal of the Southern States  
—Of their Senators and Representatives—Mr. Davis—Comparison with the  
War of Independence.**

THAT the North was astounded by the consequence of its determination no one who remembers the successive incidents of the eventful winter of 1860–61 can doubt. This astonishment affords the strongest proof of the blindness of the voters and the disingenuousness of their leaders. The Southern Democrats were the ablest statesmen in the Union. Knowing what the disruption of their party meant, they yet accepted that disruption rather than vote for Douglas. That those who would not accept Douglas should submit to Lincoln was obviously incredible. The Southern Democrats as a party, the ‘Cotton States’ at least as States, stood committed by the applauded declarations of their leaders and of their press, by the formal resolutions of popular meetings, party conventions, public bodies and State legislatures, to treat the seizure of the Federal Government by men pledged to use all its powers for the injury of the South, as a virtual dissolution of the Union. That men so acutely sensitive on the point of honour, that a people high-spirited, courageous and determined to a fault, should tamely eat their words and trail the honour of their States in the dust, none who knew them could deem possible. Unfortunately the North did not know

them. Even the politicians who had met their leaders in Congress, had had opportunities of learning their tenacity of purpose, their indomitable pride, their punctilious dignity and self-respect, fancied, or pretended to fancy, that the stern, grave, earnest warnings of men like Jefferson Davis and A. H. Stephens meant no more than their own stump-threats and diplomatic bluster, or the retort of the fire-eaters who promised to 'call the roll of their slaves on Bunker's Hill.' The very writers who talk of conspiracy, popular delusion and passionate haste tell us in the same breath that secession was no new idea, that it had long been familiar to the Southern mind, first as an open question of policy, and latterly as a question mainly if not solely of time. The truth is that a great majority, in the Cotton States at least, had of late made approval of secession, in the last resort, a test of thorough-going loyalty. It had been discussed till nothing remained to debate but the sufficiency of the occasion. How fully and freely this last issue had been debated may be learned from the vote for Bell and Everett, the position of Unionists like Alexander H. Stephens of Georgia, who exerted their utmost eloquence to appease the indignation they admitted to be just, who laboured to save the Union as Greeley and Garrison, Seward and Sumner laboured to destroy it. The question had been mooted and contested in many a State campaign, and hitherto negatived on the ground that the time was not ripe nor the provocation yet intolerable. No national act was ever more deliberately considered, more patiently forborne, more reluctantly or more resolutely adopted. None was more distinctly the act of the people and not of the politicians, still less of the leading statesmen.

The North, and not the South, had departed from the old conception, the old traditions of the voluntary union of sovereign States. The gradual change of Northern feeling and opinion on this point is intelligible enough. The conviction, in her earlier days, was as strong in New England as in the South. Massachusetts, then the leading State of the North, was in 1788 as jealous of her absolute sovereignty as

Virginia herself. But New Hampshire, Maine and Vermont<sup>1</sup> were younger children of the Bay State; no distinction of character or interest kept alive the distinctive State feeling of Connecticut and Rhode Island, and Massachusetts morally absorbed New England. Had the latter been a single State, it would have been the most separate, the proudest, the most jealously independent State in the Union; as it chanced to be cut up into six States, its unity of character and feeling substituted sectional pride and a sectional policy for the self-assertion of State independence. The antagonism between the cosmopolitan city of Manhattan Island and the Dutch-Puritan yeomanry of the interior, its vast territory and incoherent population, had dissolved the unity of the Empire State. No man felt for New York as a Scot feels for Scotland, or even a Victorian for Victoria. The old State pride of Pennsylvania had died out with the ascendancy of Quakerism. New Jersey had never possessed that distinctive colonial character out of which State distinctions grew. In the North-West strong State feeling was impossible. Ohio, Illinois, Indiana and Michigan were from the first—what ultra-Republican jurists, ignorant or wilfully forgetful of history, allege that American States are or should be—mere artificial divisions of an empire too large, with interests too diverse, to be governed from a single centre. They were but fractions of one vast prairie, peopled by American settlers whose local affection reverted to their native States, by Germans, Englishmen, Irishmen and Scandinavians, accustomed to regard 'America' as their future country, their home, the scene of their hopes or the refuge of their need, before they learnt the very name of their State. To the North proper, New England and the Northern Atlantic States, State sovereignty and the right of secession were matters of historical evidence and legal reasoning—traditions of the past, incompatible with the facts of the present and the boasts of the future. To the West they were pedantic political theories or offensive party inventions. To the South they were the supreme realities of political and

<sup>1</sup> Territorially an offshoot of New York.



national life—facts deeply rooted in a history whose continuity had never been broken.

Hardly any born Southerner doubted for a moment that his allegiance was due to Virginia or Louisiana; that the fealty sworn to the United States by military and civil officers was binding only through that constitutional compact to which Virginia and Louisiana were parties, and ceased in right when that Constitution was violated, in fact whenever Virginia or Louisiana should recall their adhesion. The citizen of South Carolina owed nothing to the Union, no debt even for past benefits that had not been more than cancelled. The State claimed and exercised the right to compel his obedience, to guard his property. The State protected him in life and limb; the State legislation defined, the State courts enforced his rights. The State defined felony and misdemeanour, capital and non-capital crimes. The State could imprison him for fraud or hang him for murder. The State sanctioned his marriage, the State alone could annul it; State law regulated his privileges and duties as husband and father, fixed the conditions of a valid will or determined the devolution of an intestate's inheritance. The State might send him to represent her equal majesty in the Federal Senate, the interests of her people in the House.

The Army and Navy, arsenals and fortresses belonged not to the Union but to the States united. Through the assent of the State he was bound to obey a few Federal laws, with which, unless he were a merchant, an official or a lawyer engaged in the Federal courts, he had no practical concern. True, that citizenship was interchangeable between Massachusetts and South Carolina, as it had been between Athens and Platæa, between Corinth and Argos. True, that the Federal Government regulated the conditions of naturalisation; but only as the citizen of Missouri or Kansas, of a State or a Territory, could the naturalised foreigner become a citizen of the United States. The plural sense of that phrase was ever present to the minds of the colleagues of Jefferson Davis and Alexander H. Stephens, as to the contemporaries of

Washington, Henry, Jefferson and Madison. Not only the Southern people, but the Southern Senators and Representatives, assumed both that the States had the right to secede and that that right would be unquestioned, as they believed it unquestionable.

That because the Gulf States could secede legally they would be permitted as a matter of course to secede peaceably one leader only doubted ; but, though comparatively reserved and silent, that man was perhaps the soundest, most thoughtful, most experienced and observant statesman of the South. He had served with distinction in the field ; had held—in the one crisis in which, as yet, the enforcement of the law and the maintenance of peace had depended on Federal troops—the supremely important office of Secretary of War. Jefferson Davis had as good a chance of the Presidency as any of his contemporaries ; but he knew it too well to covet it, and had forbidden his name, the most respected in the South, to be put forward in the Charleston Convention. ‘Seen from behind the scenes, it was an office in no wise desirable, an office of great responsibility and greater labour, vexation and disappointment. Few had left it as happy as when they entered it. Worn by incessant fatigue, broken in fortune, debarred by public opinion and prejudice from future employment, the wisest and best who had filled that office had, as he knew, retired to private life to remember rather the failure of their hopes than the success of their efforts.’ He had nothing to aspire to, holding already that Senatorial position which, in the estimation of judicious and rational ambition, is the highest and happiest that the American statesman can fill. He held it in all probability for life. His State had thrice re-elected him as her ambassador to that august assembly, and her confidence had in no wise diminished. He felt assured that the North would not let the South go ; that she would endeavour to enforce by the sword the obligations she had broken under the forms of peace. As soldier and War Minister he knew what war meant. He was satisfied that the South could achieve her independence only through a long, sanguinary and destruc-

tive conflict. Thus assured, he could not be an ardent, uncompromising or forward Secessionist. Only when convinced that the honour, the rights, the freedom and the interests of the South could no longer be defended within, could he be willing sword in hand to fight her way out of the Union.<sup>2</sup>

South Carolina was the first to act. Regular, pacific, heedful of precedent as was the English Revolution of 1688, the Southern secession of 1861 preserved yet more closely the continuity of law and history. The Legislature of each State was regularly convoked, and passed in due form a resolution summoning its people in Convention, the only power in America which pretended to sovereign authority. The people of South Carolina in Convention assembled traced a continuous unbroken existence to the days when it framed the State Constitution, which it had subsequently amended at pleasure. It had accepted on behalf of the State the Union and the Constitution of 1787. Meeting on December 18, 1860, it forthwith rescinded the 'resolution of May 23, 1788,' whereby the Constitution of the United States was ratified, together with all Acts and parts of Acts of the Assembly of the State ratifying the amendments of the said Constitution; and declared the Union heretofore subsisting between South Carolina and the other States dissolved. With the same observance of

<sup>2</sup> None of the Republican libels which blacken the records of the sectional conflict—and only a professional critic of American literature can form a conception of their multitude and grossness—not even Mr. Lowell's unpardonable disparagement of Confederate valour and devotion—more directly and glaringly reverses the truth than the suggestion that the Southern leaders sought in a separate Confederacy higher honours than they could hope for in an unbroken Union. Nearly every Northern writer has repeated this slander, necessary to give plausibility to the current misrepresentation of the secession movement. But the authors of the received *History of the War* and of *A Fool's Errand* have ventured to challenge enquiry by defining and individualising the charge, attaching it to names which, while they still appeal to living memory, suffice to refute it. In 1860 no office in the Union was beyond the recognised claims and legitimate aspirations of Mr. Davis; professional and official esteem had designated Colonel R. E. Lee as the fittest successor of Winfield Scott, the future Commander-in-Chief of the United States army. His only possible rivals were his after-colleagues in chief command of the Confederate forces—A. S. Johnston and Joseph Johnston.

legal form and historical continuity, with equally careful reference to the several circumstances under which they had entered the Union, Mississippi followed suit on January 9, 1861, Florida on the 10th, Alabama on the 11th, Georgia on the 18th, and Louisiana on the 26th. Texas was not far behind them. On the other hand, Maryland, Delaware, Virginia, North Carolina, Kentucky, Tennessee, Missouri and Arkansas, without disputing the right, refused for the present to follow the example of their Southern sister States.

The Senators and Representatives of the seven seceding States, on receiving the formal notification of the Acts which repealed the ordinances creating the Union and practically revoked their commission, withdrew from Congress. The farewell speech of the senior Senator from Mississippi possesses especial significance and historical interest. 'If,' he said on January 21, 'I had not believed there was justifiable cause, if I had thought that Mississippi was acting without provocation, I should still have been bound by her action.' He proceeded to distinguish between nullification and secession as antagonistic principles, denied the right of a State to remain within the Union yet defy the laws by which within the Union it had agreed to be bound, vindicated its withdrawal as an act of sovereignty which, as every contemporary authority clearly laid down, had existed before the Union and had never been resigned. Mississippi found that her safety required her to protect her rights outside of the Union; 'surrendered all the benefits, and they are known to be many, deprived herself of the advantages, and they are known to be great, severed all the ties of affection, and they are close and enduring, which had bound her to the Union, and claimed to be exempt from any power to execute the laws of the United States within her limits.' Mr. Davis reminded his colleagues that in the height of the Fugitive Slave quarrel he had denied the right to coerce Massachusetts; had pledged himself, if she chose to secede rather than fulfil her hated obligations, 'to vindicate her right, and wish her God-speed in memory of the past.' He expressed

on behalf of his State and of her sisters an earnest hope for future peaceable relations; but if the North would not have peace, appealed to the God who had delivered their common fathers from the power of the lion to protect the South from the ravages of the bear. In a concluding paragraph of signal dignity and pathos he offered an apology for any pain which in the course of long service and sharp discussions he might have inflicted, and declared that he carried away no hostile remembrance of any offence received. Such was the temper—as every man who can realise the gravity of the crisis, the awful responsibility of the leaders, will fully believe—in which, not passionate women or high-spirited boys, but the great mass of the Southern people dissolved the bonds that had secured for eighty years domestic peace and external security, and prepared to stand alone in the midst of an unsympathetic and censorious world; to protect their own interests, to guard their own obnoxious institutions, and, if need should be, to defend their homes and families, their property and their rights, the honour and independence of their States to the last, against five-fold numbers and resources a hundred-fold greater than theirs.

That they still hoped for peace, nay, still disbelieved in the probability and almost in the possibility of war, shows how strong was their faith in their constitutional creed, in the indisputable clearness of their right. The Union was founded on the principle of the right of a people—not of ‘a nation,’ according to the gross which Mr. Greeley and less skilful Northern advocates would now put upon the text, for the Americans in 1775 were but a part of the British nation, but of any geographical fragment of a nation—to repudiate even a *sovereign* authority which has abused its powers. If this be, as Mr. Greeley afterwards urged, a revolutionary right, it is no less clear, as he observed at the time, that that which one party has a right to do, no other can have a right to prevent. If England were wrong in 1776 in striving to recover her sovereignty over a revolted people, the North was evidently far more wrong in attempting to coerce seceding Confederates in 1861.

At every point the case of the South was far the stronger. The sovereignty of the king and Parliament was complete and indisputable. No sovereignty had ever been claimed for a majority of the people of the Union at large over a minority of the States. They who denied the sovereignty of the State had never ventured to assert that of the Federal Government. Their plea was that sovereignty was *nowhere* resident in the American system—a tenable argument, since there are things which no power in America can do. If Parliament had unjustly taxed the Americans, Congress by a Northern majority had done the same to South Carolina. The South had been taxed from first to last for the exclusive benefit of the North. It was a grand and special grievance that the King had threatened to raise the slaves against their masters. The North had gone very far in that direction before war began, and in war went further than George III. If the Colonies were entitled to judge their own cause, much more were the Southern States. Their rights—rights not implied, assumed or traditional like those of the Colonies, but expressly defined and solemnly guaranteed by law—had been flagrantly violated; the compact which alone bound them had beyond question been systematically broken for more than forty years by the States which now appealed to it.

A large number, probably a majority, of the Northern people, certainly a vast majority of the educated and law-abiding among them, up to this moment believed that secession was lawful, or at least, which came to exactly the same thing, that coercion was illegal. If the Constitution had not provided for the former, it had distinctly forbidden the latter. All powers not given were withheld, and this power had been discussed and advisedly withheld. If Hamilton had doubted whether a State could ratify conditionally, reserving the right to secede at pleasure, and if Madison had answered in the negative, the private correspondence of two Federalists however eminent cannot be cited to sustain, however valid to limit or deny, a Federal claim. Madison's doctrine, moreover, was negated by the action of his own State and the acquiescence

of her associates. Virginia had expressly reserved the right to annul her ratification in the very way and on the very plea on which South Carolina annulled it, if the Federal powers were used to the injury of the people, and the 'people of the United States' (used unquestionably in the plural sense) thought fit to revoke them.<sup>3</sup>

<sup>3</sup> The right to decide for herself upon the infraction of engagements to which she is a party, and upon the remedy she will employ, is the essential and inalienable right of a sovereign State. The infraction was not seriously disputed. The right to annul the violated compact was inherent in the sovereignty of the States. Had this sovereignty ever been called into question, had the idea of coercion by a majority ever been publicly suggested by the authors of the Constitution, its ratification would have been impossible. No one can study the debates of 1787-88 without being struck by the insistence of both sides, but especially of the Federalists, upon this critical point. The Articles of Confederation declare that each State retains its sovereignty, freedom and independence. The original Constitution of Massachusetts and the revised Constitution of New Hampshire expressly declare the people of those States 'free, sovereign, and independent bodies politic.' Madison declared in the Virginian Convention of 1788 that 'we the people of the United States' are 'we the people of thirteen sovereignties.' Alexander Hamilton laid it down in the *Federalist* again and again that the attributes of sovereignty were enjoyed by every State. Franklin defended the equal suffrage in the Senate as 'representing the sovereignty' of the several States. Wilson, of Pennsylvania, said that sovereignty was in the people and remained in them; and by the use of the phrase 'thirteen independent sovereignties' showed that the people of whom he spoke were the people of each State. Gouverneur Morris, the extreme Federalist in the Convention, and Roger Sherman, of Connecticut, both speak of the Constitution and the Federal Government as the works of sovereign Powers or sovereign States. Vattel lays down as a principle of international law that the members of a Federal Republic are, or may be, perfect States, in words that exactly expound the Federal Constitution as understood by the Secessionists of 1861. He says that common deliberation offers no violation to the sovereignty of each member, though they may [do] in certain respects put some restraint on the exertion of it in virtue of voluntary engagements. See Davis's *Rise and Fall*, vol. i. pp. 144, 145.

The *History* of the Count of Paris is throughout a partisan work, the apology of a Prince who had to excuse his own unprecedented enlistment in a foreign service. But his account of the political transactions is that of a foreigner who did not understand the questions at issue, who took his facts from the most extreme and unscrupulous party libels, and made no attempt to correct them by reference to impartial or adverse authorities.

## CHAPTER II.

CONCILIATION.    REPUBLICAN OB DURACY AND SOUTHERN  
FORBEARANCE.

Reaction in the Middle States—The Peace Convention—The Crittenden Compromise—The Republican Leaders bent on War—Conduct of Southern Statesmen, Soldiers, and People.

From the moment when secession had become a visible probability, an impending reality, a large proportion of those who had voted for Abraham Lincoln were appalled by the completeness of their own victory; dismayed to find they had done the one thing they were not prepared to do, that the warnings they had disregarded as empty threats were true to the letter. The Northern Democrats and the little body of declared 'Unionists' exerted themselves to profit by the moment of terror and repentance, and made a last energetic effort to save the Union.<sup>1</sup> Unhappily it was obvious from the first that the success of any such effort, the feasibility of compromise, the possibility of conciliation depended on the course

<sup>1</sup> In February 1860 Mr. Davis had submitted to and carried through the Senate, by a majority varying from two-thirds to five-eighths (36 to 18, 35 to 21), resolutions asserting that the States adopted the Federal Constitution in their independent and sovereign character; that slavery was one of the institutions inherited from that time, and that no change of feeling in the free States could justify any attempt upon it; that all such attempts were a breach of faith; affirmed the rights and privileges among the States, and expressly reaffirmed the doctrine of the Dred Scott decision. By 36 to 6 the Senate agreed that the Fugitive Slave Laws should be faithfully and honestly maintained and observed by all who enjoyed the benefits of the Union, and that all acts of individuals or State legislatures to the contrary were hostile in character, subversive of the Constitution and revolutionary in effect. This emphatic condemnation of the Republican policy was resisted only by six Northern senators, among whom were four Chandler, Hale, Wade, and Wilson—who almost avowedly preferred abolition to the Union.



of the Republican leaders. Those who had given the power into their hands *could not now recall it.*<sup>2</sup> Before a single State had taken a practical step towards secession the principal organs of the Republican party had asserted their right to do so.<sup>3</sup> The *Albany Evening Journal*, Mr. Seward's organ, pronounced secession indefensible only on the ground that Mr. Lincoln would observe his oath of office and administer the law. But by the Chicago platform, on which Mr. Lincoln was elected, he was committed to disregard the law as laid down by the Supreme Court. Mr. Seward and the other leaders of the party were committed to resist the Dred Scott decision and the Fugitive Slave Law. By Helper's frantic manifesto, fully endorsed by them, they were pledged to forcible uncompensated emancipation, to the confiscation of all property held by slave-owners. Had Mr. Lincoln meant to execute the law, his first step should have been the explicit renunciation of the platform and the manifesto. While silent on these significant utterances, his vague promises of course obtained no credence. The great majority of the influential journals of the North, while clinging to the Union, either affirmed the right of secession or denied that of coercion.

Philadelphia had given Lincoln a majority at the polls. A vast meeting of her citizens assembled on December 13, 1860, a few days before the secession of South Carolina, in Independence Square. The Republican mayor denounced the impertinent interference of the North with the domestic system of the South, the misplaced teachings of the pulpit, the rhapsodies of the lecture-hall and the exciting appeals of the press. 'These things must be frowned down by a just and law-abiding people.' Another Lincolnite insisted on the faithful execution of the Fugitive Slave Law in its fullest in-

<sup>2</sup> This is the distinctive characteristic of Presidential as against Parliamentary Government.

<sup>3</sup> 'If the Cotton States shall decide that they can do better out of the Union than in it, we insist on letting them go in peace. Whenever a considerable section of our Union shall deliberately resolve to go out we shall resist all coercive measures to keep it in. We hope never to live in a Republic where every one section is pinned to the residue by bayonets.'—Greeley in the *New York Tribune*.

tention and spirit. Secession was ascribed to the deliberate violation of constitutional engagements by the North. Other speakers denounced the Personal Liberty Laws as 'mean evasions of the plainest duty,' and rebuked 'the inflammatory appeals which had filled with dread and apprehension the once quiet and happy homes of the South.' All these Republican confessions—inconsistent as they were with Republicanism—were enthusiastically applauded. The meeting resolved that every Pennsylvanian statute which invaded the constitutional rights of sister States should be at once repealed, pointed with pride to the punishment of slave rescuers in their city, accepted the past and future decisions of the Supreme Court, and condemned all denunciations of slavery and slave-holders.

On December 4 Congress received the last annual message of President Buchanan. It dwelt on the dread of servile insurrection, with its unspeakable horrors, which the Abolitionist agitation had diffused throughout the South. He called on the North to recognise and enforce the law, and declared that the coercion of the seceding States would utterly destroy the whole theory upon which they were (had been hitherto) connected. Unfortunately he talked about holding Federal property and collecting customs within the ports of the seceding States. This was a monstrous paradox. The forbearance of the Southern States alone had left the Government any forts or property to hold; and the attempt to levy duties or employ Federal troops within a State which had declared its independence was simple coercion, and must inevitably result in instant war.

Mr. Crittenden of Kentucky, than whom no anti-Republican in the country was better entitled to the respect and deference of the Republicans,<sup>4</sup> proposed to amend the Constitution by re-enacting the Missouri compromise line, depriving Congress of power to abolish slavery in forts or garrisons within the limits of the Slave States, or in the District of Columbia while it continued to exist in Virginia or Maryland, or to interfere with the inter-State slave-trade; and, further, to secure that

<sup>4</sup> Greeley, *American Conflict*, p. 378.

the Federal Government should pay the value of slaves forcibly rescued, and recover the costs from the county which had failed to put down the rioters. He proposed further that no future amendment of the Constitution should affect these rules, or give power to Congress to interfere with slavery in the States. He called upon Congress to resolve that all resistance by States or individuals to the Fugitive Slave Law was illegal and unconstitutional; that the fee of the Commissioner should be the same whatever his decision; that the African slave-trade should be more effectually repressed. Mr. Greeley admitted that had the Crittenden compromise been submitted to the people it would probably have been ratified.<sup>5</sup> The compromise was referred to a committee of thirteen, of whom five were Republicans; but it was clear that no compromise to which the new President and the Republican party were not more deeply pledged than to their own platform would give the South the shadow of security. It was understood, therefore, that the committee should report no conciliatory proposal in which the Republican members did not concur, and they concurred in none. The Republican party were asked simply to engage for the fulfilment of the law and non-interference with slavery in the South, and they refused both. In a word, they would have no terms; they would rule or ruin the Union. Amendment after amendment, proposal after proposal was made, only to be rejected or staved off till the retirement of the Cotton States had left the Republicans masters of the field, when they peremptorily voted down every proposal incompatible with their own unconstitutional and illegal platform.

The Border States made one last effort. They called a Peace Convention, presided over by ex-President Tyler. The Republican chiefs were unwilling to attend it. They knew that the people desired peace, and exerted themselves to the utmost to thwart the popular will. Chandler, of Michigan, expressed in a private letter his desire to prevent the Northern States from sending delegates; but as more moderate Repub-

<sup>5</sup> *American Conflict*, p. 380.

licans would send them, 'something must be conceded to these erring brethren.' The party must exert itself, and 'send stiff-backed men' to defeat all proposals looking to peace. '*The Union will be worth nothing without a little blood-letting.*' So spoke a Senator of the United States, an intimate colleague and friend of Seward and Sumner, a favourite counsellor of Abraham Lincoln; and such was the spirit of his chief and colleagues. The compromise recommended by the Peace Convention, substantially that of Crittenden, was bitterly opposed by the Republican delegates; and when it reached Congress, in which the Republicans were now dominant, it was dismissed with far less attention and respect than would, in the better days of the Union, have been accorded to any scheme of sectional conciliation recommended by the sovereign State of Virginia alone. The House of Representatives passed resolutions pronouncing the 'Liberty laws' unconstitutional—as if any sane man had ever affirmed them to be otherwise—recognising the existence of slavery within the Slave States, and acknowledging no authority outside of a State to interfere with slaves or slavery therein; requesting the States to punish the invasion of other States, refusing to recognise any right of secession, and proclaiming the duty of the Federal Government to enforce the laws, protect Federal property and preserve the Union. This was in effect a purely Republican programme, insolently ignoring the Dred Scott decision, and affording no sort of guarantee against fresh violations of constitutional law. But it was too constitutional for the feelings of the extreme Republicans. The utmost that, on Mr. Greeley's own showing,<sup>6</sup> his party ever dreamed of conceding was the hopeless idea of a Convention of the States, originally proposed by Kentucky—a Convention in which the secession of the Cotton States would have given the North an overwhelming majority; a remedy obviously far too slow and too cumbrous to meet the crisis, and which common sense must presume was offered for no other reason. Twice the

<sup>6</sup> Report of Seward and Republican minority in the Peace Convention. *American Conflict*, i. 402.

Republicans were asked simply to execute the existing law, and sustain in the future that exclusive constitutional right of the States over their internal affairs and that equality in the common Territories which scarcely admitted of rational dispute; and twice the party pronounced against the least that the South could safely or honourably accept.

The seven seceding States met in Congress at Montgomery, Alabama, early in February 1861. Spontaneously and almost unanimously every State delegation named Jefferson Davis, the representative of the Moderates, as President, wholly contrary to his wish and expectation. With equal spontaneity and unanimity they named as his Vice-President and possible substitute Alexander H. Stephens, the recognised leader of the Union party; its foremost and boldest statesman, who had insisted in the House of Representatives, in the public discussions which preceded the action of his State, and in the Convention of Georgia, that the Union could and should be maintained, but had recognised as distinctly the paramount and absolute claim of Georgia to his allegiance under any circumstances and against any enemy whatsoever. Except in South Carolina, there had been in every State a powerful Unionist minority. On the day on which the edict of secession passed that minority disappeared. Among those who received the decision of their State with deep regret and painful anxiety, there was scarcely a man of character and reputation who did not sustain it, who was not prepared to peril life and limb, fortune, the safety of his home, the comfort, the bread, the happiness of wife and children, in its defence.

To none was that decision more painful than to the Southern officers of the Federal Army and Navy. To both, but especially to the former, the South had furnished a very large proportion of its most distinguished officers. The Union boasted no seamen more deservedly honoured by their countrymen, more revered in their profession, than Raphael Semmes; Maury, the highest living authority upon ocean storms and currents, and upon the whole science of meteorology; Buchanan; and Tatnall, dear to the whole

English race, who when our soldiers and seamen were retiring in confusion and disaster under the tremendous fire of the Chinese forts, exclaimed that 'blood was thicker than water,' and acted on the feeling. The Army of the Union boasted but one soldier equal in reputation and stainless honour, in proven courage and skill, to A. S. Johnston, Joseph Johnston of Georgia, G. P. Beauregard of Louisiana, and Bragg, the hero of Buena Vista; unless we should except General Scott—respected for professional skill and success, but ridiculed for exorbitant egotism—the present Commander-in-Chief. The opinion of the army and the War Department had long since designated as his successor Robert E. Lee of Virginia, the ideal of a Christian soldier, the typical representative of Southern chivalry. Among the elder officers still in the prime of manhood, none ranked higher than the eccentric Puritan T. J. Jackson, Hardee and Jubal Early. Ripley and Rains were masters of the highest science of their profession. Needless to lengthen the list of names with whose glory the world was presently to ring. To every one of these men the Stars and Stripes had been as dear as the Union Jack to those who fought under Nelson and Wellington, Collingwood and Moore. To them, as to no other Southerner, the Union had been their country, their Northern comrades as dear and intimate associates as those from their own States. But, Scott excepted, not one of these men doubted for a moment what their duty was, or hesitated, at every sacrifice of personal and professional feeling, instantly to fulfil it. Southern captains, with here and there an exception, carried their ships into Northern ports,<sup>7</sup> handed over the command to men henceforth to be strangers and enemies, and returned home to place their swords at the service of their native States. Nearly every Southern soldier resigned his commission and

<sup>7</sup> Not that the ships belonged to the North—far from it; but that professional honour required them to resign their charge to the authority from which they received it—the Federal Government. That Government was, on the same principle, bound in honour to hand over to the seceding States their fair share of the armaments created at the common expense; but it was guided by very different considerations

awaited the commands of the one authority which had henceforth the right to claim his services, without stipulation for rank, pay or position. If such was the conscientious conviction and such the conduct of soldiers and seamen, much more clear, confident and unhesitating must have been the conscientious sincerity with which every Southern civilian of character and repute acknowledged his sole and absolute allegiance to Virginia or Maryland, Georgia or Louisiana.

During the last weeks of Buchanan's administration most forts and arsenals within the seceding States, generally inhabited only by a storekeeper or a corporal's guard, had been quietly occupied. The case was different with three positions of signal importance. The Isle of Key West was strongly garrisoned, and was wholly out of the power of Florida or of the Confederacy. Pensacola was the greatest naval arsenal of the Union. Most of its unguarded works were occupied by militia or volunteers from Florida and Alabama, but the principal fort could not be secured without a collision which, however confident of success, the Confederate Government were resolved to avoid at almost any risk. The same policy of forbearance allowed Major Anderson, with a hundred men, to retain unchallenged possession of Fort Moultrie, in Charleston harbour. Before the Confederate Government was installed, that of South Carolina had offered, and Mr. Buchanan, while refusing to bind himself by any formal engagement, was supposed to have agreed, that the *status quo* should be undisturbed till the whole question of peace or war, recognition or coercion, should be submitted to Congress, the only power legally competent to deal with it. The proverbial danger of verbal understandings is doubled where political, popular and personal pressure is daily and hourly brought to bear upon one of the parties. The State Government, relying on the arrangement, forbore to seize Moultrie. Anderson, fully aware that they could do so at any moment, destroyed whatever he could not remove, and transferred his garrison to Fort Sumter, a position more defensible and capable of being reinforced by sea. The State Government assumed

that Anderson's breach of an arrangement by which he had so long profited would be promptly disavowed. Mr. Buchanan—who acted throughout with an anxious desire to keep the peace, to abide by the constitutional doctrine that coercion was illegal, and to reserve the whole question for Congress, so long as he could do so without incurring bitter reproach and dangerous unpopularity in the North—sustained with some hesitation the action of his subordinate, and even authorised an attempt to throw supplies and supports into Sumter. But the language of his message had put the Carolinians on their guard. The defences of Charleston harbour had been vigorously pushed on; the commanding points were occupied by batteries strongly manned and armed; and the *Star of the West*, arrested by a warning shot, turned back without attempting to communicate with Anderson.

An act of unquestionable hostility had now been attempted, and the longer presence of a Federal garrison in the midst of Charleston harbour was not only an insult to the State but a very practical danger to the city. Still the Confederate Government adhered to the policy of forbearance. It would not begin the war; it would do nothing to embarrass by anticipation the legal and pacific settlement which the history and principles of the Constitution entitled it to expect from the new Congress.

Mr. Buchanan, in his last message, laid down with equal emphasis two practically contradictory propositions, both of them constitutionally arguable: that a State had no right to withdraw from the Union, and that the Union had no power to coerce a State. The Union was, like all intimate alliances and most treaties, formally perpetual; as was the bond between Holland and Belgium which France sanctioned in 1815, and violated by force in 1831; or that earlier American Union under the Articles of Confederation from which eleven States deliberately seceded, leaving North Carolina and Rhode Island out in the cold. Much more significant and straightforward was the President's language on the second point. Coercion, he said, could only be legal if the power to make



war upon a State had been granted to Congress; and this question he decided in the negative.<sup>8</sup>

Mr. Buchanan subsequently attempted to explain away his explanation. The Federal Government could not coerce a State, but it could execute the laws by force in defiance of State resistance—a distinction without a difference, an implicit contradiction of the constitutional and practical doctrine that force used against a State meant war. Mr. Lincoln afterwards took the same distinction, and went so far as to ignore the whole past and present, to invent a new set of facts, an unreal situation, in the formal proclamations and public despatches by which he levied vast armies to suppress ‘conspiracies,’ declared war on ‘rioters,’ and blockaded the coasts of ‘lawless assemblages.’ Facts were too strong alike for faction and fiction. Secession was the act of the States through the identical Conventions which had brought them into the Union, the recognised Executive Governments and Legislatures which had ruled and represented them therein; and on this inconvenient truth, the moment they passed from words to deeds, the minority President and the Republican rump of Congress had to act.

No attempt was ever made to ‘execute the laws’; war, and war against the States, invasion, blockade, regular hostilities waged against the Confederate States as a foreign Power, belied all constitutional evasions, and compelled the Federal Government to contradict itself by claiming the privileges while striving to escape the consequences of belligerency. The special pleadings of Mr. Buchanan and Mr. Lincoln only served to prove their conviction that war against a State was a thing too clearly illegal to be avowed. Hence much of the

<sup>8</sup> A clause authorising an exertion of force against a delinquent State came up for consideration in the Convention of 1787 on May 31. Madison argued that the use of force against a State would look more like a *declaration of war* than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts. On his motion the clause was set aside. A week later Madison said that ‘a Government formed on the supposed practicability of using force against the unconstitutional proceedings of the States would prove visionary and fallacious.’ Buchanan, p. 128.

illogical and inconsistent hectoring which made the Northern cause so unpopular with nearly all educated and well-informed foreigners. The North was in a moral dilemma. If secession were a nullity, she was violating the Constitution in waging war on the States. If she were legally at war, secession had in fact dissolved the Union.

Some hot-headed Southern fire-eaters and logical doctrinaires had declared in favour of the re-opening of the African slave-trade. This is the sole pretext for the allegation often made at the time, and casually repeated by one English writer from whom respect for historical facts might have been expected, 'that the desire to develop as well as preserve slavery' was the very mainspring of secession. The Constitution of the United States left the question open after, and only after, 1808. Till then Congress was forbidden to interfere with the trade. The constitutional Convention of the Confederate States—such was the title assumed by the seven seceders and the six States which subsequently joined them<sup>9</sup>—made the prohibition of the slave-trade a clause of the Constitution, a law practically irrepealable. The accusation then is not only not true, but the exact reverse of the truth. Otherwise the constitution elaborated at Montgomery follows closely the main outlines of the compact of 1787, only explaining in unmistakable language every point which seemed controvertible or which had been controverted, and introducing a few amendments whose wisdom almost every political thinker entitled to respect has unhesitatingly approved. The President was to hold office for six years, and was not to be re-eligible. Congress was permitted to provide for the admission of Cabinet Ministers to a seat on the floor, i.e. to a position like that of Territorial delegates, with the right of speech but not of voting. In the midst of a struggle for existence, it never found time to carry out a purpose better suited to the ordinary course of public business in peace than to the exigencies of war.

<sup>9</sup> They claimed that Missouri—whose lawful Government was actively Secessionist—and Kentucky had formally joined the Confederacy.

## CHAPTER III.

## REPUBLICAN DUPLICITY. THE TRUE STORY OF SUMTER.

Lincoln's Strange and Ambiguous Speeches—Negotiations—Evacuation of Sumter repeatedly promised by the Federal Government—Treacherous Attempt at Surprise—The War forced on the South by Republican underhand dealings—The Motive.

As the new President made a triumphal progress to Washington through the States which had elected him, he delivered speeches, brief indeed, but from their very brevity more significant and more ominous. He admitted at Indianapolis that 'the marching an army into South Carolina without the consent of her people and with hostile intentions towards them would be coercion and invasion; but if the United States were merely to recover their forts and property, collect the customs duties and assert the powers which the Federal Government claimed, was this coercion or invasion?' Mr. Lincoln knew that he could not recover Moultrie or levy a dollar in Charleston till he had laid the city in ashes. Was *that* coercion? He knew that thirty thousand men could hardly instal a Federal judge in Columbia. Was *that* invasion? Such playing with double-edged words—and words that flung fire among flax—would have been ridiculed in a debating society, and was unpardonable in one whose words must affect the action of Governments, the motion of armies and the temper of nations. A still more startling sentence followed: 'If a State and county were equal in extent of territory and number of inhabitants, in what was the State better than the county? What mysterious right had the State to play tyrant?' He might as well have asked, Why should Belgium enjoy any privileges denied to Lancashire? Was he really ignorant of the leading facts of American history, the first

principles of American law? or was the question a claptrap appeal to ignorance and faction? If it meant anything, it suggested a subversion of the existing order, sure to be forcibly resisted by two-thirds of the States and more than half their population. To insinuate revolution, to hint civil war in terms like these, indicates the man as yet unimpressed by responsibility. Even as a matter of taste, what would be thought of an English statesman who should ostentatiously declare that Scotland was of no more account than Sussex, or put Ireland on a par with Derbyshire? How would such an orator, during an access of Scotch or Irish feeling, be received in Glasgow or Dublin?<sup>1</sup> No public man, after a similar insult to the excited pride of a free people, could hope to enjoy in any great city a reception agreeable to his dignity; and Mr. Lincoln was prudently advised to avoid the streets of Baltimore, and to pass through Maryland in a sort of incognito. He was in no danger of such treatment as a Royalist Chief Justice had undergone from the mob of Boston; the assassination plot devised to explain his evasion was a pure fiction; but it would not have suited the President-elect to be hooted through the only Southern city he had to enter.<sup>2</sup> Mr. Lincoln appeared in Washington, to be installed without disturbance or demonstration of hostility on March 4, 1861. His inaugural address maintained his ambiguous attitude, and yet committed him to grave and glaring usurpation.

Whatever Mr. Lincoln's opinion on the legality of secession, he knew it to be a doubtful problem, on which immeasurably superior lawyers held the Southern view. It was either a subject falling within the reserved powers of the

<sup>1</sup> Mr. Lincoln's levity was incomparably worse. Some English counties are older than England. An American State is the oldest and only essential element in American polity; a county is the last and most purely artificial of American political divisions. There was a studied insolence in the comparison which only an American as familiar with American as a cultivated Englishman with English traditions could fully appreciate. See de Tocqueville, *Democracy in America*, vol. i. p. 86 *et seq.*

<sup>2</sup> Even Mr. Greeley virtually admits that this was all the President had to fear. See *American Conflict*, i. p. 420, and especially the note.

sovereign States, as the South held, or, from the Northern standpoint, a question of law to be decided by the Supreme Court. Had that Court pronounced against the legality of secession, the action to be taken was a question for Congress. Even the despotic Jackson had appealed to Congress before threatening South Carolina with a military 'enforcement of the law.' By proclaiming his intention to 'execute the laws,' seize forts and collect taxes within the seceded States, Mr. Lincoln not only decided the question of law in contempt of the proper tribunal, but deprived Congress and the Northern people of their right to decide, coolly and at leisure, whether they would endeavour to reconstruct the Union on the novel principle of compulsion. They elected him on positive and emphatic assurances that his election did not mean separation; they were now cheated out of their opportunity of reconsidering the case under the new light which had done so much to sober and startle them, while half of them still believed coercive war illegal, and a moiety of the other half abhorred it as foolish and wicked.

At the same time Mr. Lincoln threw his glove in the face of the Southern people. He told them that he would act in a manner which, as the facts stood, meant a war of invasion. Yet he had deprecated the idea of war, and, if his words meant anything, had nullified his own menace by renouncing beforehand the only means of executing it. If, as he declared, he would not place intruders in the Southern customs-houses, appoint intrusive judges marshals and attorneys, or support them by armed force, he could collect no duties and execute no laws. The inaugural speech, like its predecessors, contradicted itself at every turn. For Republicans of Mr. Chandler's type the speech meant war. Hesitating Conservative Unionists inferred with equal justice that it promised to avoid war. Democrats saw that the President had given a pledge which nullified his threats of coercion. The Southern people saw that they had been insulted, but saw that the challenge given in one sentence had been retracted in another. Southern statesmen drew the true conclusion—that

the speech meant anything or nothing, and must be interpreted by the temper of the North. But that temper was uncertain. A straightforward speech would have steadied it, would have elicited a cry for war or a peremptory demand for peace; and for that reason Mr. Lincoln and his advisers had been carefully ambiguous.

The selection of the Cabinet was significant. The Secretary of State was the chief of the violent Republicans who had countersigned Helper's abusive and menacing manifesto. The Treasury was filled by Salmon P. Chase, of Ohio, an Abolitionist less desperate than Sumner and less scrupulous than Greeley. The War Department was in the charge of Simon Cameron, of Pennsylvania, a 'professional politician' of whom it could only be predicted that he would favour whatever course promised the largest opportunities of lucrative jobbery, the most lavish and the most uncontrolled expenditure. Every post of importance was given to the North. No State south of the Potomac and the Ohio was represented in the Cabinet. Blair of Maryland and Bates of Missouri were Southerners only as was Lincoln himself, by chance of birth; their nomination to insignificant posts emphasised the anti-national character of the Government. Such a Cabinet was another proof of the utterly unparalleled nature of the situation, the anti-Unionist attitude of the victorious party. Never had a Cabinet consisted solely of Southerners, with an insignificant Pennsylvanian and Indianian stuck into insignificant places. Never had the Union been ruled by a party in whose Conventions the Northern States were not represented, or which had not received a Northern vote tenfold larger than the whole South had cast for Lincoln.

Peace at any price, so it were peace with honour, was the interest of the Confederacy and the policy of its Government. It was fortunate that its President was at once a soldier and a statesman, thoroughly familiar with the military resources of the North, with the strength of the Navy, with the character of Northern politicians. He appreciated the motives which might induce the Republican leaders to precipitate hostilities

and was anxious to avert them if possible, and if not, to throw the whole responsibility, visibly and unquestionably, upon the party which had all to gain by war.

The first important act of his Government was to send Commissioners to Washington. Their formal instructions of course looked to the recognition of the Confederate States, the provision to be made for the common debt of the Union, the transfer of the forts still held by Federal troops within Confederate jurisdiction, and the settlement of all reciprocal claims. The immediate object was the maintenance of peace on the lines of the *status quo*. Mr. Crawford, the first of the Commissioners, arrived before Mr. Buchanan retired; but the latter had lost his head amid the incessant menaces and denunciations of the Radicals, more excusably and less completely than his successor. Mr. Lincoln might have been hooted through Baltimore; Mr. Buchanan was reasonably afraid of personal outrage on his homeward road, short as it was, and thought it not unlikely that he would find his modest Pennsylvanian country-seat in flames. Nothing was done till the new Government came into power on March 4, 1861. Mr. Seward refused to receive the Commissioners. This was needless discourtesy; the reception of eminent citizens of Southern States in no wise prejudiced the question whether those States had now become a foreign Power. The envoys were men of standing too high to quibble with him on points of etiquette. An informal letter from Mr. Crawford to Mr. Forsyth, a public man of the highest character and station, opened their mission on March 12. Couched in the usual terms of diplomatic courtesy, it was answered by Mr. Seward in a long, argumentative, offensive paper, refusing the requested interview with the President. Mr. Seward, in a long public life and a subsequent official experience of eight years, showed a statesman's adroitness in discriminating between those whom it was necessary to court and those whom it was safe to insult. The nature of the man was indicated by the story—true or well invented—that he gratuitously told a great English statesman (attending the Heir to the Crown on a complimentary visit to

the States) that his first act on coming into power would be to quarrel with England. Mr. Seward would never have so blustered before a French statesman or a private Englishman. With the like adroitness he kept his letter of March 15 for private display and subsequent publication; and, to amuse them till the Northern Government was ready to act and the Northern people wrought into a different mood, opened an indirect communication with the Confederate Commissioners through Judge Nelson and Judge Campbell, of the Supreme Court.<sup>3</sup> The question of Sumter was urgent. Mr. Seward knew that without express assurances from Washington the Confederate Government could not much longer forbear its reduction. The Judges warned him upon their own authority, supported by that of the Chief Justice, that it would be impossible, without serious violations both of the Constitution itself and of express Congressional statutes, to attempt the coercion of the seceding States; also, that the refusal of a recognition to which they held themselves clearly and instantly entitled might lead to irrevocable and very unfortunate incidents. The Secretary's tone was such that the Judges believed him to be restrained even from recognition rather by the state of public feeling in the North than by his own judgment.

However that might be, Mr. Seward's language about Fort Sumter was as explicit as possible. 'The evacuation of the fort is as much as the Administration can bear.' This was the immediate and pressing issue. Mr. Seward authorised the Judges to say that, before a letter could reach Mr. Davis, the latter would learn by telegraph that the order for the evacuation of Fort Sumter had been given. As for Fort Pinckney and Pensacola, no change should be made.

<sup>3</sup> The narrative is given in full in Mr. Davis's *Rise and Fall of the Confederate Government*. Draper suppresses all the important part—Mr. Seward's pledges and their violation. Mr. Greeley slurs every essential point, and omits the name of Judge Nelson—a Northern witness to Judge Campbell's interviews with Seward, and the originator of the indirect verbal negotiations. As the facts were published and the charges made during the war, the absence of reply and the evasions of the best Northern historians bear conclusive testimony to the accuracy of the authorities quoted below.



Judge Campbell communicated this assurance to the Commissioners. They required that the pledge should be reduced to writing. This was done by Judge Campbell; the written statement was approved by Judge Nelson, and the whole transaction reported to Mr. Seward by letter. In consideration of this express engagement to leave the status of Fort Pinckney unaltered and forthwith to evacuate Sumter, the Confederates made two concessions of vital moment. They refrained from pressing the demand for recognition—a point on which Mr. Seward showed great personal anxiety; and they forbore to reduce the forts, then clearly in their power. All this occurred on March 15. Seward's pledge obviously implied that the evacuation of Fort Sumter should be ordered within two or three days. On the 20th the Commissioners learned from General Beauregard, commanding at Charleston, that Sumter had not been evacuated, and that Major Anderson was still working on its defences; a breach of the truce which would have entitled the Confederates to compel an instant surrender. The despatch was submitted to Mr. Seward by the Judges above-named. He pleaded that the delay was accidental, and repeated his promise. This assurance was again given in writing to the Commissioners by Judge Campbell, who again communicated to Mr. Seward in writing what had been said on his behalf. Mr. Seward then repeated, on March 21, his absolute pledge to evacuate Sumter and leave the *status quo* of Fort Pinckney undisturbed.

Meantime Mr. Fox, afterwards Assistant Secretary of the Navy, had urged upon the Government a plan for the violent or surreptitious relief of Fort Sumter. Finding, as he said, the President and Mr. Blair disposed to sanction his plan, Fox proposed a visit to Charleston to ascertain its practicability. By Mr. Lincoln's orders he left Washington on the 19th, and reached Charleston on the 21st (the day on which Mr. Seward repeated his promise that the fort should be immediately evacuated). Mr. Fox recorded that he had obtained from the Governor of South Carolina permission to visit Fort Sumter. How that permission was obtained he was careful

not to tell ; but that it was given on an understanding that his purpose was pacific there could be no question. What actually passed is told in the Governor's report to the State Legislature. The pass was given 'expressly upon the pledge of pacific purpose.' Fox's legal status, then, was that of a spy, liable to be hanged on detection. Morally he and his Government<sup>4</sup> were in the position of men using a flag of truce to cover a concerted surprise—a crime which the opinion of all nations and the customs of civilised war brand with especial infamy. A few days later a second spy, Colonel Lamon, employed by Mr. Lincoln, expressly informed Governor Pickens that he was sent to arrange the removal of the garrison. He obtained a pass. On his return from Sumter he asked if a war vessel might enter the harbour to remove the garrison. The Governor refused. Lincoln's 'confidential agent' then suggested an ordinary steamer, to which the other agreed. This transaction was reported by Pickens to the Commissioners by telegraph. The Commissioners sent the message through Judge Campbell to Mr. Seward, who on the next day, April 1, repudiated Lamon in language which suggested that he had been kept in ignorance of the transaction. Mr. Seward, however, engaged in *writing* that the Government would not undertake (attempt) to supply Sumter *without giving due notice* to Governor Pickens. Judge Campbell noted the inconsistency, and asked, 'Am I to understand that there has been a change in your former communications?' *i.e.* the engagements to evacuate Sumter. 'None,' replied Mr. Seward. On April 7, learning that the Federal Government were making secret preparations for the naval attack planned by Mr. Fox, the Commissioners again addressed Mr. Seward in writing (using the signature of Judge Campbell, since Mr.

<sup>4</sup> They knew (1) that Mr. Seward's promises implied the pacific character of Fox's mission ; (2) that his pass could have been obtained on no other understanding. (3) The publication of Pickens's message put them in full possession of the facts. Yet Fox's scheme was secretly pressed forward, and its author rewarded with high promotion, which he retained long after his final exposure. It is, further, a significant fact that Anderson (a high-minded soldier) was kept in ignorance of plans which concerned him so intimately.

Seward had throughout refused to communicate with them directly), enquiring whether his assurances were to be relied on. The Secretary replied in writing—‘*Faith as to Sumter fully kept; wait and see.*’ At that moment the secret expedition was ready, and was expected to reach Charleston within forty-eight hours. On the morrow after this last explicit pledge, at the moment when the fleet was supposed to be off the harbour, Mr. Chew, a clerk of Mr. Seward’s, accompanied by a certain Captain Talbot, read to Governor Pickens and General Beauregard at Charleston a paper said to have been delivered to Chew by President Lincoln on the 6th, *the day before Mr. Seward’s last promise* to evacuate the fort, notifying the State Government that an attempt would be made to supply Fort Sumter with provisions, and that if not resisted no attempt would be made to throw in men, arms or ammunition without further notice. Even had it been properly signed and accredited, the paper was a confession of foul play. It ignored Mr. Seward’s solemn and repeated engagements. Its delivery was obviously meant not to give warning but to cover a surprise; and even its promise, coming from Seward’s chief and Fox’s employer, was dishonoured on its face. The notice was a declaration of war—the despatch of the expedition the commencement of active hostilities.

Mr. Lincoln’s Government thus unquestionably began the war, and by a signal act of treachery. Mr. Seward’s first pledge to evacuate Sumter was given March 15, the last April 7. In the interval the question was discussed in the Cabinet. On March 19 Mr. Lincoln sent Fox to scheme an attack; on the 23rd or 24th he ordered its preparation; on April 6 the fleet had set forth; on the 8th it was expected to enter the harbour; and not till that moment were the Confederate authorities warned that an attack was intended. Even had Mr. Seward’s promises been unauthorised, the President was bound by them till abundant notice had been given of their repudiation. Even on this utterly absurd supposition, the attempted surprise of April 8 was a foul treason. But it is as certain that Mr. Seward dared not and did not act without his chief’s full knowledge and sanction,

as that such an offence would have compelled his immediate dismissal.<sup>5</sup> His retention in the highest Cabinet office and in Lincoln's full confidence suffices to fix the latter with previous cognisance and entire approval of his pledges. Mr. Lincoln's personal share of responsibility for the false promises, the deliberate and protracted deception, and the treacherous surprise which that deception covered and prepared, is matter neither of importance nor of doubt. For nearly a month the Government of which he was the absolute chief were keeping the Confederate Government from action by pledges which at the same time they were preparing with all possible energy to violate.<sup>6</sup>

This treachery had made the capture of Sumter an immediate necessity. Yet it was not summoned till April 11; then, after long parley, Anderson refused to surrender, and was reduced, when the enemy's fleet was in sight, by a thirty-six hours' bombardment, wherein, strangely enough, no man on either side was hurt, though casemates, guns and parapets suffered severely. The Confederates had obviously done their very utmost to postpone or avert hostilities. Mr. Lincoln, Mr. Seward and their colleagues intentionally and deliberately forced on the collision, determined to leave the South no choice but between surrender at discretion and instant war. They gained their end. Northern feeling would not sanction an offensive war till every effort at peaceful settlement had been exhausted. Hence it was imperative, if Lincoln's Presidency were not to be signalised by the immediate dissolution of the Union and to bring the Republican party into universal

<sup>5</sup> The fact that Mr. Lincoln's measure, repudiating or ignoring Seward's pledges, was delivered by Seward's own subordinate leaves no reasonable doubt that the two were acting in collusion or concert throughout.

<sup>6</sup> The whole of this narrative is vouched by official documents, by a letter of Judge Campbell's to Mr. Seward (April 13, 1861), and by a full statement subsequently placed on record by the former. Every communication made in Mr. Seward's name was forthwith reported to him in writing. The final pledge—given when he believed that effectual measures had been taken to falsify it—was in his own handwriting. The whole history of the transaction had been long notorious, and stood on record, when Draper and Greeley wrote, and their evasion puts it beyond question. They knew how the facts had been stated by the best possible authority, and would have contradicted Judge Campbell had there been the shadow of a question as to his accuracy.

odium and contempt, or the Chicago platform to be ignominiously retracted, that the North should be hurried into war on false pretences. The authors of the collision, the men who had publicly pledged themselves to peace while secretly preparing war, profited by their own duplicity, and concealed the transactions which had rendered the reduction of Sumter an instant necessity of self-defence. The North was persuaded that the South had struck the first blow—had ‘fired on the uniform,’ ‘had insulted the flag.’ The imperious self-will of a dictatorial democracy was successfully inflamed to fury; and from this point it would be as profitable to trace the sequence of fancies in a fever dream as to follow the unreasoning impulses of a deluded people.<sup>7</sup>

Mr. Lincoln actually ventured, in his message of July 1861, to deny that the reduction of Fort Sumter was an act of self-defence. Reverse the case: suppose France allied with the Confederacy; a Confederate garrison holding—in spite of repeated engagements to evacuate it—a commanding fortress in New York Bay; a French squadron, long expected, at last signalled as in sight and bearing down to their aid. Suppose a defensive policy in high favour at Washington. Would orders to ‘remain on the defensive’ have saved an officer responsible for the safety of New York if he had not reduced the fort, if he had waited till its guns and those of the fleet were turned upon the defenceless city? How would a court-martial have dealt with such a case? and how long would Mr. Lincoln have hesitated to sign the death-warrant of the soldier who had acted according to the Presidential interpretation of ‘self-defence’?

<sup>7</sup> All Northern writers, from Greeley and Draper downwards, repeat that ‘the South began the war.’ But not one of them tells us what the South could have done, after the promised evacuation of Sumter had once been peremptorily refused, when an enemy’s fleet was threatening to enter the harbour which Sumter commanded. Let any reader with my account in hand look at their narratives of the first few weeks of Lincoln’s administration; he will hardly escape the inference that they knew this story and dared not face it. Half-hints, fragmentary quotations, partial allusions and sudden suppressions receive their connection, elucidation, completion from the above narrative, which might otherwise seem unreasonably full and tediously accurate.

## CHAPTER IV.

## THE CHOICE OF THE STATES.

**Mr. Lincoln proclaims War—Compels the Border States to take a side—Heroism of Virginia—Maryland betrayed by her Governor and enslaved by surprise—Kentucky and Missouri, Arkansas, Tennessee and North Carolina—West Virginia and East Tennessee—Comparative Resources—Southern Geography—Threat to hang Southern seamen—Medicines declared Contraband.**

ON April 13, after the fall of Sumter, Virginia demanded what policy the Federal Executive intended to pursue towards the Confederate States. Mr. Lincoln replied by repeating the story about holding forts and collecting duties. 'Further than might be required to do this, there should be no use of force against the people.' He gave the Virginians to understand that while he claimed the abstract right to regain 'Federal property,' he would not resort to armed invasion; and pledged himself most distinctly to confine his efforts to harbours, coast and border defences, and so forth.<sup>1</sup> In forty-eight hours he had changed his mind and broken his promises. On April 15 he issued a proclamation calling for 75,000 men to put down 'combinations too powerful to be suppressed by law,' and commanded the said combinations (that is, the Governors, legislatures and people of seven States) to 'retire peaceably to their homes'!

The North was wild with patriotic fervour. Five minutes' enquiry would have enabled any journalist of five years' experience to detect the untruthfulness of the story issued from the White House—a glance at a map of Charleston harbour would have suggested something like the truth. What was the Federal fleet about? What had passed between the Governments? Why had the long forbearance of the Con-

<sup>1</sup> Greeley, i. 452.

federates suddenly ceased? These questions should have occurred to any intelligent reader of the most unscrupulous Republican organs; these once publicly asked and pressed, Mr. Lincoln was lost. But very few sober men were left; and of these none could have commanded a hearing unless they could have told the story of the secret negotiations at once, before the North was committed.

A few weeks before, military coercion was a word that the Chandlers and Chases feared to utter aloud. Meeting after meeting, attended by those to whom Lincoln owed his place, by the leading citizens of the great commercial cities, unanimously denounced the idea as hateful, wicked, illegal, abominable. Mr. Lincoln had been told, amid thunders of applause, that a Republican army marching upon the South would be destroyed by a fire in its rear. In an instant, in the twinkling of an eye, all this was changed for a passion that would listen to no facts, a war fever as fierce as that of Chandler and his associates.

The double policy of the Republican Cabinet—the peace negotiations, the war measures of Lincoln and Seward—had served their double purpose; had baffled the earnest efforts of the Confederates to keep the peace, and hidden those efforts from the great majority of the Northern people. The South had been forced, the North tricked into war. The players of that double game have gone where ‘all hearts are open, all desires known.’ Their secrets cannot long be hidden from the scrutiny of biographers and historians; already enough is known to reveal, not perhaps their individual intentions, but their collective responsibility.

It is the business of history to judge them in their political rather than in their personal character. One whose memory retains the clue can best sum up the evidence; it must be left to a generation which did not share the tremendous passions, the intense and often agonising interest of that Titanic conflict, to pass a final judgment upon the actors. The North was deluded—with its own consent. *Vult decipi, et decipiatur.* The Border States had watched the course of events and

understood their significance. They saw that the Federal Government had been the aggressor, and—as they on strong *primâ facie* grounds believed, and as is now proven—the wilful, calculating, treacherous aggressor. They saw through the thin veil thrown over offensive invasion and fratricidal war. Their State pride, their constitutional traditions were outraged by the impertinence which treated sovereign States as ‘lawless combinations.’ From Maryland, Virginia and North Carolina, from Kentucky and Tennessee, from Missouri and Arkansas came one unanimous cry of disgust, contempt and indignation. They had adhered to the Union in spite of unnumbered insults and wrongs. But the Union to which they had adhered was the Union of Hamilton, Washington, Randolph and Jefferson; a voluntary Union of sovereign States, excluding the very idea of compulsion. Forced to choose between secession and coercion, with one voice the Border States, Delaware scarcely excepted, refused to join in a war of aggression. Kentucky proclaimed herself neutral. Missouri followed the same course. Governor Hicks, of Maryland, refused to convoke the Legislature or appeal to the people. In so doing he betrayed his trust. It was not for him to decide the course of Maryland, but to obey her will as it should be declared by her sovereign people. If he believed that that will was in favour of secession, he was bound *se soumettre ou se démettre*. His offence was especially grave, for the power of the Government to precipitate war depended on the action of Maryland. It was for her to say whether she would allow the invaders of a sister State a passage through her territory. Hicks’s subsequent conduct affords strong reason to think that he was from the first a traitor to his State, disposed to go as far in the Federal interest as he could without risking deposition and punishment. But even under Hicks Maryland stood side by side with her sisters. If fight they must, they would fight for the weak against the strong, for independence against oppression, for law against usurpation. That they had really no alternative but to join the seceding States in the resolute defence of their liberties and



independence, or to be dragged by the North into a war purely offensive and—as they almost universally believed—wicked, gratuitous, illegal and criminal, a war of aggression and conquest, was abundantly and speedily proved. The States which were persuaded or tricked into ‘neutrality’ found to their cost what Mr. Lincoln’s explicit and repeated assurances were worth. Maryland, Kentucky and Missouri trusted and repented in chains, under a reign of terror. Virginia, North Carolina, Tennessee and Arkansas better understood, as events proved, the Government they had to deal with, the crisis which its proclamation had created. That their proceedings were hurried and informal was not their fault, but Mr. Lincoln’s. That secession was the act of a people now all but unanimous, the President, his 70,000 volunteers, and the millions who were presently called upon to retrieve their defeat, received convincing proof.

The action of Virginia deserves especial notice. She, above all, was forced by the Washington Government to a cruel alternative. She had no mind to secede, but it left her no choice. It could reach her sister States only through her side. She must be the accomplice or the first victim; and in the latter case, be the issue of the Northern appeal to the sword what it might, she must inevitably be ruined by the costs. Never, since the Athenians abandoned city and country, and furnished two-thirds of the fleet which saved the calculating and cowardly Peloponnesians from the same fate, has history recorded so noble, so generous and so glorious a choice. Unless Maryland should act with instant and most improbable energy, depose her treacherous Governor, call a Convention, pass an ordinance of secession, and bar the invader’s road, all in a few days’ time, Washington would be the headquarters of the enemy’s chief army, and the war be waged, from first to last, on Virginian soil. No other Southern State was similarly exposed, and none had so much to lose. Virginia was a rich, civilised and prosperous country, a land of thriving towns and valuable plantations, of well-tilled and well-stocked farms—the Flanders of the South. Eighty years

before she had been the martyr of the War of Independence, enlisted in the quarrel, wasted and ruined in the service of Massachusetts, ever since her bitter enemy; her industry disorganised, her rising towns fired, the wealth accumulated through a hundred and fifty years of peace and prosperity plundered and destroyed, while the Colonies which had begun the war, for whose rights, rather than her own, she had drawn the sword, were safe from invasion and slow to answer her call. The elder statesmen and soldiers of the present generation had heard the story of those days in childhood at the knees of fathers<sup>2</sup> who had shared the struggle against Cornwallis. Her younger citizens remembered the tales of their grandfathers, the family legends of suffering and terror, of slaughter and conflagration. She counted the cost. The Federal Government would have given her her own price for a support which would have secured Maryland and Kentucky, and opened a way to the heart of the South. But Virginia chose rather to suffer than to share the wrong. The proclamation had put before her a plain choice between honour and safety. At once her course was determined. Her Convention met, and the Old Dominion renounced her fellowship with the West, which owed to her its being, with the North, for which she had done and suffered more than all the Northern Colonies, and cast in her lot, calmly, legally, and decisively, with the Southern sisters whose intemperance she had often rebuked, whose haste and fire she had constantly tamed and controlled, whose present action she had deprecated, but with whom lay the right, as every man of whom America was proud had laid it down; the right defined by the pen of Jefferson, achieved by the sword of Washington, and maintained by Madison, Monroe, Randolph, Calhoun at the bar and in the Senate.

Had the statesmen of the South designed, as Northern writers recklessly allege, to seize Washington, they might have done so. They might have liberated Maryland, and thrown back the war on to the soil of Pennsylvania. But they were resolute to await the first blow, to act only in self-

<sup>2</sup> General Lee was the son of the famous 'Light Horse Harry.'

defence; and they suffered severely for their self-restraint. The garrison of Harper's Ferry began hostilities by destroying as far as they could the arms there stored. The naval arsenal of Norfolk was fired at midnight on April 20; one great ship of the line, two frigates, and four smaller vessels were sunk, and property to the value of millions of dollars destroyed by order of the Federal officer in command.<sup>3</sup>

It must be remembered that the property of the Federal Government was the property of the States at large. The navy, the army, the ships, the cannon, the small-arms, the ammunition, the arsenals, the machinery did not belong to the President, to Congress, or to the Northern States. The forts must necessarily go to the States on whose soil they were placed; of all else, the South had at least as good a right as the North to seize her share, pending a settlement of accounts. Unhappily nineteen-twentieths of the military and naval material of the Union was within Northern reach, and was forcibly appropriated by the North. This advantage was partially compensated by the personal quality of those respectively at the head of affairs. Mr. Davis understood incomparably better than any of his antagonists the business of war. Had he long contemplated or 'plotted' secession and civil war, the promptness with which he acted when installed in office leaves no doubt how effectively the South would have been armed. As it was she had neither stores nor factories, neither ships nor cannon, rifles nor sabres. Of powder she had not enough for a three months' campaign. In taking the money stored in the Mint of Louisiana, the arms and ammunition in the arsenals, two or three revenue cutters lying in her harbours, a score of ungarrisoned old-fashioned forts, and finally in compelling the Federal troops on the Texan frontier

<sup>3</sup> It is said that the Northern arsenals had been depleted by Floyd, Secretary of War under Buchanan, for the benefit of the South. Documents and statistics prove that the charge is utterly false. The Southern States had not even their fair share of small-arms, and these were mainly worthless. Everything else, except the artillery, arms and stores of the army on the Mexican frontier, was within Northern control. See Buchanan's *Administration* and Davis's *Rise and Fall*.

to surrender and hand over their cannon, rifles, ammunition and transport, the seceding States only took their own, and a very small part thereof.<sup>4</sup>

Governor Burton, of Delaware, in reply to Mr. Lincoln's proclamation, simply stated with indubitable truth that the laws of the State did not permit compliance. Hicks, of Maryland, found himself compelled to affect a more decided loyalty; he pledged himself to send no troops from the State unless for the defence of Washington. He reminded the people that they would soon have an opportunity of expressing their opinion as to whether they should remain in the Union or their desire to see it broken up.<sup>5</sup> But inaction under the circumstances was action of the most important kind. Neither the Legislature nor the people had any mind to afford a free way to an army on its way to attack the sister State of Virginia; and when, about noon on April 19, the 6th Massachusetts regiment with other troops, the vanguard of the North-Eastern invaders, coming by rail, marched through the streets of Baltimore, the Marylanders instinctively felt themselves betrayed. These troops had and could have but one errand. They came to wage war on the South, of which Maryland was part; their instant objective was Virginia, 'her ancient and faithful ally.' Their presence on such an errand was either a constitutional outrage or an act of treacherous hostility. Both by public and by constitutional law, as a sovereign Power and a member of the Union, Maryland was bound to expel them. The cultivated, high-bred, hospitable aristocracy and the indomitable populace of the Marble City were of one mind: the appearance of the invaders called them at once to arms. The temper of the intruders was that of Chandler.

<sup>4</sup> Mr. Floyd had resigned on account of Mr. Buchanan's refusal to fulfil the engagements given to South Carolina; but the President had previously required his resignation on account of a financial transaction, irregular in the last degree, but which brought no sort of advantage to the South, to Floyd, or anyone connected with him. We have seen how lax had been the financial administration in former times. Buchanan, p. 186.

<sup>5</sup> Thus acknowledging the right of secession, and the unright of coercion. Coupled with his subsequent conduct (*v. infra*, p. 233) this language seems to fix upon him, in no technical or ambiguous sense, the character of a traitor.

Before a single shot had been discharged (though one of them is said to have been hurt by a stone) the troops deliberately fired a murderous volley among the people, killing eleven and severely wounding many more. This outrage was the commencement of a conflict in which the invaders lost three or four men killed, and a few sufficiently hurt to be sent to hospital. The influence of Kane, the deservedly popular chief of police, at last secured the unmolested departure of the soldiers—a service which Messrs. Seward and Lincoln never forgave. After the blood of her citizens had thus been shed by an invading force, under the President's orders, the Governor of Maryland was content—instead of demanding satisfaction and providing for the prevention of similar outrages in future<sup>6</sup>—to 'request' that no more troops should be sent through Baltimore. The President replied, in sublime disregard of facts, that the troops were required and intended for the defence of Washington! Mr. Seward added some impertinence about the time when 'American troops were welcome in Maryland.' Both stooped to a transparent fiction. The errand of the troops was one which at any period would have ensured them a hostile reception in Maryland, the invasion of Virginia; and while Lincoln refrained from aggression Washington was as safe as Boston. Mr. Lincoln, with the Governor's complicity, poured regiment after regiment into the State under the command of the afterwards notorious General Butler; occupied Annapolis in order to prevent the meeting of the Legislature at the State capital, and on May 13 seized Baltimore and all the railways leading through the State by military violence. Mr. Greeley himself admits that but for these acts of fraud and force the State of Maryland would have gone out of the Union as promptly and by as great a majority as Virginia or Tennessee. The Legislature met at Frederick, a stronghold of the Unionists, and with calm courage passed a vote of censure upon the war and

\* The President's legal authority to call out the militia of New England was dubious. The Constitution he had sworn to observe forbade him to bring them into Maryland, except at the request of her legislature.

its authors. The military arrest of a large number of its members obliged it to adjourn on May 14.<sup>7</sup> On the same day Governor Hicks threw off the mask, broke his oath of office, his solemn recent pledges, and called for four regiments of volunteers under the proclamation he had officially denounced as illegal!

On April 19, while protesting to Maryland that he designed no invasion of the South, that he was only calling for troops to defend Washington, Mr. Lincoln ordered the invasion of Virginia. He sent the steam frigate *Paunee* with 450 Massachusetts volunteers to seize the navy-yard at Norfolk; but the ships had been already sunk and the guns disabled, and the Federal officers thought it prudent not to await an attack. In a few hours the Virginian flag was hoisted over the ruins; many of the guns were unspiked; the officers left to fire the navy-yard were captured, and the *Merrimac*—one of the sunken frigates—was recovered, to figure in one of the most important of the many brilliant actions performed by the tiny navy of the Confederacy.<sup>8</sup>

<sup>7</sup> In most American Chambers a majority is required for a quorum.

<sup>8</sup> Mr. Draper and Mr. Greeley have stated, with prudent avoidance of details and figures, that the South was well armed, and armed at the expense of the North. The fact is as I have stated it: the exact quantity of arms, caps, and pounds of powder are given from official documents in Davis's *Rise and Fall*. Mr. Greeley scrupled not to relate anecdotes and conversations, reflecting on men in every respect at least his equals, without voucher of any kind. For instance, he relates a story imputing the meanest and most purposeless falsehood to General Magruder. According to this tale the General was alone with Lincoln—a notorious inventor of good stories; but Mr. Greeley did not even allege Mr. Lincoln's or any other authority. Professor Draper seldom gives authority for statements which only the most explicit reference to accessible documents could warrant or excuse. His account of the origin and course of secession is a figment of his own brain. Both these authors write on occasion as if they had attended not only the secret sessions of the Confederate Congress, but the meetings of Mr. Davis's Cabinet, and the midnight councils that were never held by conspirators who never conspired. Where the adverse facts are notorious, as in the case of the alleged intention to reopen the African slave-trade, they invent explanations which are not only untrue but at once disproved by reference to dates and details. A rule made when Virginia was protesting against disunion by two to one was part of 'the secret compact' by which Virginia entered the Confederacy! They get rid of the constitutional prohibition by the wild suggestion that any Southern

The South had one or two great moral advantages. A large majority of the officers educated at West Point adhered to the North, but the flower of the army were those two hundred Southern officers who, as Mr. Greeley reluctantly admits, could not possibly have fancied that they consulted their own ease or comfort—or, an honourable foe would add, their personal or professional advantage—in so doing. They knew—none so well—how Northern men could fight, and what odds Southern volunteers could confront and conquer. They alone could fully gauge the terrible significance of their numerical inferiority. The indolent, the stolid, the inefficient, as Mr. Greeley says, clung to the North. The Confederacy might fail; the Union, if beaten, would remain strong enough and rich enough to reward them. The bitterest of Abolitionist fanatics testifies to the reckless courage with which the generals of the South exposed their lives on the field, and explains the early disasters of the North on the ground that, where the troops are equally raw, the bravest and most determined officers will conquer. ‘The rebels were seldom beaten through the pusillanimity, never through the treachery of their leaders.’<sup>9</sup> Such were the leaders of ‘that incomparable Southern infantry’ whose marvellous achievements and matchless endurance have wrung from the bitterest foes reluctant testimony to their unrivalled martial quality. A Northern woman, characteristically impressed only by their physical appearance, speaks of some prisoners taken when sheer exhaustion and overwhelming numbers overcame the army which had driven the Federal troops to cower under the shelter of their gunboats in the first day’s fighting at Shiloh. ‘How awfully they were dressed! They had carpets, ladies’ quilts, bed-covers for

State might secede from the Confederacy, and so get rid of the Constitution; that is, (1) the great statesmen of the Confederacy contemplated its speedy dissolution; (2) Virginia sold her accession to the Confederacy, with invasion and ruin full in view, for a promise of no apparent value; (3) Texas, *e.g.*, dreamed of standing alone against England, the North, and the Border States, and repudiating a treaty which half a dozen English frigates could have enforced!

<sup>9</sup> Greeley, i. 506. The whole passage is a reluctant and unconscious confession of the moral, physical and political inferiority of the Northern soldiery.

blankets, slouch hats, children's hats, little girls' hats, but not one a soldier's cap.' Yet, says the bitter Abolitionist who can find no terms too abusive for the statesmen of the South, this was 'that magnificent infantry which had nearly wrenched victory from Grant, had faced without flinching famine, nakedness, the hospital and the sword. Would to God they had had a different enemy and a different cause.'<sup>1</sup> Is there a better cause than that of the soldier who fights for land and laws, for hearth and home? Or can an enemy be more clearly in the wrong than he who, with every advantage of numbers, wealth and stratagem, fights to enforce on others a compact whose every obligation he himself has shamelessly broken?

*Victrix causa diis placuit, sed victa Catoni.*

Every individual Southerner instinctively felt that his was the cause of law and justice, of country, independence, right and manhood. The Northern invader might convince himself that he was in the right, but those obvious facts that impress the conscience and the moral instincts of ordinary men were all against him. He was an aggressor, an invader. He was emphatically doing as he would *not* have been done by.<sup>2</sup>

The population of the North, entirely available for military service, was nineteen millions, increased by that large element in Missouri and Kentucky which, Western rather than Southern, was soon to show itself 'strong upon the stronger side,' to more than twenty millions. The population of the seven original seceding States was about five millions, of whom rather more than half were white freemen. Virginia, Tennessee, Arkansas and North Carolina had about 2,800,000 whites and 1,800,000 blacks. Including the exiled recruits from Missouri, Kentucky and Maryland, the white population, alone available for military service, fell short of five millions

<sup>1</sup> Draper, vol. ii. 166.

<sup>2</sup> Needless to say that this does not apply to the small minority of Abolitionist crusaders. The truths above indicated may be read between the lines of Draper's comparison of the two sections in the early part of his second volume, and even of Greeley's declamation on the same subject.



and a half. The support derived from the three millions and a half of negroes, who could be employed to cultivate the soil and otherwise set free the white men for service in the field, was soon greatly reduced by invasion, deportation and demoralisation; its value was fully compensated by the drafts which the North was able to make on the waste manhood of Europe—the restless, starving populace of Connaught and Munster and the adventurers of Germany.

At the very outset, the deduction to be made from the nominal strength of Virginia was demonstrated by a political farce, whose constitutional absurdity in no wise diminished its practical effect. No State can be dismembered save by her own consent. The disaffected representatives of a few Western counties, together with a number of self-elected associates, came together in Convention, without a shadow of legal or popular authority, and resolved that Western Virginia should form a separate State. Then the same persons, calling themselves the Legislature of Virginia—ignoring the real Legislature, sitting, as before the Act of Secession, at Richmond—in that character affected to sanction the separation of the Western district. A more impudent fiction was never devised in Wall Street. Congress and the President, associating themselves with this fraud on the Constitution, admitted the ‘bogus State’ of West Virginia into the Union. It still retains the name and privileges of a State, a monument of the great shipwreck of law and order from which, after twenty years, the Union has imperfectly recovered.

Eastern Tennessee was a geographical prolongation southward of Western Virginia, and contained, like the latter, a number of Yankee immigrants, generally hostile to secession, and, unlike the rest of the Southern people, unwilling to abide by the decision and share the fortunes of their State. Nor was the desertion of so many of her white population the whole injury which the South sustained by the disaffection in these two sections. They opened a deep rent in her north-eastern frontier, by which a Northern army might one day pass through a friendly country and reach Chattanooga, the key of

her second defensive line, connecting its Eastern and Western divisions. These lines depended on and covered the two great railway communications between the Atlantic and the Mississippi; the only roads by which, over such vast distances, and through so thinly peopled a country, the East and the West could be held together; by which the one great military advantage of the South, the possession of interior lines, could be effectively utilised.

In mere military arithmetic, then, the South was outnumbered by four to one. But this was not the worst. The material resources of the North were simply infinite, while those of the South were limited in the extreme. The former could import arms and ammunition to any extent. All the factories of Europe were as fully available as if they had been planted on Northern soil. For any such purpose the wealth of the South was almost absolutely useless. Cotton enough to have purchased everything that she needed was locked up in her ports and on her plantations till it became spoil of war. She had not a single factory for the manufacture of arms, hardly even forges where rails might be wrought for the repair of her railways. She had to create, and did create with marvellous skill and rapidity, manufactories of small-arms, cannon and powder, of all of which the North had abundant supplies. The whole Federal navy, except two or three revenue cutters, fell into the hands of the stronger section. All the shipyards of the Union and of Europe were at its command; the South had not a single ship of war nor the means of building one. She had no iron, and no foundries wherein to construct the flotilla necessary to the defence of her rivers. The North could build as fast as could England herself, and built as England might have done with six or twelve months to prepare for the assertion of her maritime supremacy.

The geographical character of the South, together with her hopeless naval inferiority, constituted a second disadvantage only less telling than her weakness in men and material. The navigable rivers which contributed so largely to her prosperity in peace were a source of especial danger in war. The

Mississippi cut the Confederacy in twain, and had to be defended chiefly by shore batteries against river squadrons of unlimited potential strength. The Confederate Government acted in this, as in almost every other point, with astonishing energy. Incomparably inferior in skill, in labour power, in wealth, material and weapons, it had fortified the river at several points before Mr. Lincoln had even assembled, drilled, uniformed and armed his forces for the attack. Island Number Ten, Fort Pillow and Vicksburg defended the upper course of the stream. Two powerful forts guarded the chief of its many outlets. The character of the banks, as a rule low and flat, especially at those points where important commercial towns demanded protection, was a great embarrassment to those responsible for the construction of defensive works. The islands were also low. The bluffs, where they commanded the water, were often so precipitous as to render it easy for strongly-built vessels to run by close under the mouths of guns that could not be depressed to reach them. A defence depending on fortresses, however strong, against fleets or armies is always a disadvantage. It involves the discouragement of garrisons compelled to act always on the defensive, and aware that they cannot hold out for ever. Either the commanders evacuate the works to save the garrison, or they sacrifice the latter, and perhaps a campaign, to an over-estimate of the particular position in their charge. The Western campaigns afford instances of either error. The river fortresses of the South had to be placed upon ground often lower than the water-line, their first tier of guns being thus at best level with those of the ships. Such was the situation of New Orleans and a considerable part of Louisiana, so that the chief city of the South must surrender to the enemy's fleet if once they forced the passages above or below it. The neutrality of Kentucky, which the South was compelled to respect till the North should choose her own time to violate it, protected the whole course of the Ohio; and that river, with the Upper Mississippi, afforded a continuous inviolable shipyard in which the invader could construct his

flotillas, a safe retreat in disaster. Upon the Mississippi, the South must stand absolutely on the defensive against an enemy who held both ends of the line, and at both was unassailable. The Tennessee and Cumberland rivers, traversing the Confederate lines of defence, lay open to a flotilla established on the Ohio; and if forced enabled the victors to take the defenders of the Mississippi in the rear. Western Virginia, with its eastern mountain range, flanked the army defending Richmond. On its other flank the enemy commanded the Chesapeake, the estuaries and inlets which penetrated deep into the rich coast land of the State, and enabled the invaders to land whatever force they chose in the rear of the main Confederate army. The principal ports of the Gulf and Atlantic coasts could be closed by improvised blockading squadrons.

The only geographical advantage enjoyed by the South was the 'double coast' of Georgia and the Carolinas; an outer barrier of islands behind which lay a channel navigable by light vessels, whereto access was given at numerous points by narrow navigable passages well known to the local pilots, but unfamiliar to the officers of the Federal Navy. The efficiency of the blockade must depend, therefore, rather upon captures at sea than upon an actual and *bona fide* closure of the numerous natural harbours. The situation of the South, as Professor Draper points out, was that of a beleaguered district of indefinite extent; but a beleaguered place open at almost every point, with an enceinte fifty-fold as long as the defenders could possibly maintain. It bore an ominous resemblance to the position of France during the campaigns of 1814 and the Hundred Days, with superior armies in Belgium and on the Rhine, an irresistible enemy in possession of the sea, and a hostile Spanish host on the south. Mr. Lincoln could choose his points of attack on three sides; from the Potomac and Ohio on the north, the Gulf of Mexico on the south, and the Atlantic on the east. He could land wherever he would an army twice as strong in numbers, four times as strong in available force, as any that the South could

possibly oppose to it. Every such army had a line of communication absolutely secure, and could establish before operations began an impregnable second base. One line of attack was marked out by nature. It should be the first business of the North to force the Mississippi, to occupy Louisiana and Arkansas. An army of a hundred thousand men established in possession of the western bank would hold the Gulf States at its mercy and turn the defences of Tennessee.

Mr. Lincoln's virtual declaration of war and blockade was coupled with two acts which cast a glaring light on the often-vaunted humanity of the North, and the personal tenderness of nature and freedom from vindictive passion ascribed to the President. The latter ordered that Confederate commissions or letters of marque granted to private or public ships should be disregarded, and their crews treated as pirates. He also declared medicines of all kinds 'contraband of war.'

Both acts violated every rule of civilised war, and outraged the conscience of Christendom. The attempt to deprive the South of the right of self-defence at sea, after the recognition of her belligerent status by the proclamation of blockade, was either an empty menace or an atrocious crime. The Federal Government snatched the earliest opportunity of proving that the murderous threat was seriously meant. The crew of the first Southern war-ship captured were imprisoned as felons, and would have been hanged had not the defeat of Bull Run, and the detention of a favourite Federal officer in irons, frightened the Northern President and Cabinet into their senses. The latter were none the less guilty in intention; and their crime was, in spirit and in consequences, no venial one. They knew that war by sea and war by land stand on the same footing; that the Confederates were, even from a Northern standpoint, no more 'rebels' than the soldiers of Mahomet Ali or of the Sonderbund; and, finally, that the act they threatened meant a war of mutual extermination—a total refusal of quarter.

Atrocious as was the guilt from which the fortune of war

alone deterred them,<sup>3</sup> the other decree implied a yet deeper and more revolting inhumanity. There exists in public law no accurate definition of the phrase 'contraband of war.' But the penalty of its carriage to an enemy's port is forfeiture of ship and cargo ; and all naval Powers accept the general principle that this penalty attaches only to practical participation in the war. Thus breach of blockade involves forfeiture, because it is a direct attempt to thwart an operation of regular warfare. By parity of reason 'contraband' must contribute directly to the enemy's *military* resources. Thus, corn has been declared contraband when its destination indicated that it was meant to feed an army, not to replenish the stores available to soldiers and civilians alike. So hemp and ship-timber are contraband, as chiefly serviceable in war time to the hostile navy ; but nothing that merely benefits a hostile army as part of the population at large, as food, stimulants, luxuries or clothing (except uniform), carried to a commercial port, is contraband. Still less can anything be contraband at sea which it would not be legitimate to seize and destroy on land. A vessel attempting to enter a blockaded port is on the footing of a convoy destined for a besieged city. But the presence of contraband goods renders the ship and her whole cargo prize of war on the high seas ; taints with the darkest guilt, affects with the heaviest penalty, a wholly innocent enterprise. This is absurd, unless 'contraband' be such that its carriage is itself an act of war. The rule has often been strained, but only once in the history of war strained for a purpose of pure malignity, the infliction of intense suffering upon the sick and wounded. Robespierre and Napoleon alike would have shrunk from denying to the enemy's hospitals medical and surgical appliances of cure and relief. Modern civilisation has exempted surgeons, hospital attendants, and others engaged in the care of the wounded from capture or

<sup>3</sup> See Macaulay's *Essay on Barrère* for an exactly parallel example -- the order of the Terrorists that no quarter should be given to the English : and the universal abhorrence thereby excited in men of no squeamish or scrupulous temper, and in an army which had forgiven the massacres of September.

intentional injury ; and the general or statesman who should deliberately destroy supplies of chloroform, laudanum or lint intended for the enemy's wounded, or curative drugs bound for a town infected by small-pox or yellow fever, would incur the unanimous reprobation of Christendom.

## CHAPTER V.

## OPENING OF THE WAR. MANASSAS.

The Proclamation of Blockade—Missouri and Kentucky—Presidential Usurpations—Military and Political Situation—Battle of Manassas Junction—Rout of Bull Run—Absence of Pursuit.

MR. LINCOLN'S first step was to close the Southern ports. He would fain have done this by a mere edict, but some one about him, acquainted with the elements of public law, warned him that such a pretension would not be allowed and would not serve his purpose. It would be little less than a defiance to the civilised world, a challenge which the maritime Powers must take up. The closing of a great port or a natural highway by its lawful owners is an outrage which modern feeling will hardly tolerate; the closure by one party to a civil quarrel of ports belonging to the other was a thing unheard of. And what was to be done with ships that disregarded it? At most they could only be warned off and arrested for a second attempt; they could not be touched on the high seas. The President, therefore, proclaimed a blockade of the Southern ports, equally, but not so obviously and glaringly, illegal. On April 19, when he pretended to seal up the Southern ports from the Rio Grande to Cape Hatteras, he had not one available war vessel to every hundred miles of coast, or to every five convenient harbours. In recognising this preposterous paper blockade, the maritime Powers conferred an invaluable and most undeserved favour on the Northern States; and that favour was, as Mr. Seward well knew, due to the influence of England. The recognition of the blockade involved the recognition of the Civil War and the belligerent *status* of the Confederacy; a measure for which Mr. Seward bitterly reviled



England, while adopting a very different tone to France, which had acted throughout in strict concert and accord with her. France, as he knew, would have been willing to go much further; she would gladly have carried England with her in a course which would have crippled the North at once; and it was necessary to treat with respect a Power so 'ready with the pistol.' Meanwhile, whatever the legal effect of the proclamation of blockade, which, as Northern courts afterwards decided, declared the existence of hostilities, the North had actually engaged in war, and had now, as a preliminary measure, to determine with whom.

The western attack was hampered by the neutrality of Kentucky and Missouri. Openly to disregard that neutrality was to force them into the enemy's arms. The first step was to throw them off their guard, to deceive, amuse and surprise them as Maryland had been surprised. The fate of Maryland, and the absence for such a pretext for defensive advance as Washington had furnished, rendered the game delicate and dangerous. Federal troops could not cross the Ohio or the Mississippi save as open invaders. Captain Lyon, commanding the U.S. forces about St. Louis, collected 6,000 rowdies from Kansas and Iowa and partisans from Northern Missouri. He despoiled the arsenal, sent its stores and arms into Illinois, and then fell by surprise upon the State militia assembled for their usual training. Attacked by five-fold numbers and utterly unprepared, the legal force of the State was compelled to surrender to the illegitimate levies. The character of Lyon's men was revealed by the cold-blooded massacre of a number of onlookers and disarmed prisoners.<sup>1</sup> Lyon's superior, General Harney, engaged for the neutrality of the State, and thus induced its Government to disband the militia and permit the Federal forces to occupy St. Louis (where there was a strong body of foreign Unionists) and the Southern pro-slavery counties. Missouri thus disarmed, Mr. Lincoln disavowed the

<sup>1</sup> *Battlefields of the South*, i. p. 38, the work of an eye-witness. The fact is not denied, and the excuses of the other side are obviously incompatible with the situation.

agreement, recalled Harney, and poured armed forces from Illinois and other free States across the border. Thus betrayed and overwhelmed, the Missourians sprang to arms. Unprovided with military rifles, cartridges, bayonets and swords—many of them carrying fowling-pieces or squirrel guns (rook-rifles)—they inflicted several humiliating defeats upon an enormously superior enemy, well armed and provided with artillery.

General Price, a consummate leader of irregulars, long kept up the contest with varying fortune. When at last overpowered by irresistible numbers, thousands of Missourian exiles, armed with rifles taken from captives or abandoned by fugitives on the field, sustained the honour of their State on the battlefields of Arkansas, Tennessee and Mississippi. After quieting and baffling her awhile with fair words, Mr. Lincoln sent garrisons into Kentucky,<sup>2</sup> established camps of instruction for Unionists in arms against the laws and Government of the State, and repudiated her claim to neutrality. Thereupon the Confederates seized Columbus, in the south-western corner of the State; and, supported by a powerful minority of her people, even when driven from her soil, forced the invader to garrison Kentucky as a hostile territory.

The Confederate Government had been transferred to Richmond, Va.; one of several instances in which Mr. Davis was compelled to subordinate military to political considerations. Mr. Lincoln and his advisers allowed the plan of their first campaign to be determined by the position of the rival capitals. They had seized the commanding heights of Arlington on the Virginian bank of the Potomac, and thus secured Washington from bombardment; since half a dozen gunboats sufficed to close the river against an unaided land force. But the Federal Government were always in terror for the safety of the capital, and this terror constantly hampered the discretion of their Generals and fettered the movements of their armies. Confronted at most by 50,000 men, to whom, having made new and

<sup>2</sup> Confessed by him in despatches to the Governor, August 24, September 4, 1861.

larger calls, they could oppose nearly 100,000 drilled and thrice as many enlisted troops, they made Richmond their objective point; apparently believing that a single battle would give them possession of the Confederate capital and decide the fate of Virginia, if not the issue of the war. Mr. Seward loudly boasted that ninety days would witness the close of the contest and the surrender of the South. The Government, acting in the spirit of this schoolboy vaunt, enlisted volunteers for three months' service. Four distinct armies threatened Virginia. M'Clellan commanded in Western Virginia, opposed by Garnett with less than one-third of his strength. Winchester, commanding the Shenandoah Valley, was the base of the Confederate General J. Johnston, who, with some 15,000 men all told, confronted Patterson's 80,000 Federals. Beauregard with 20,000 Confederates covered Manassas Junction, the central point of the railways communicating with Washington, Richmond and Winchester. Some 50,000 Federals under M'Dowell held the positions around and opposite Washington, connected by the great bridge over the Potomac. Huger and Magruder, occupying Yorktown with a small force, barred the famous isthmus to a fourth Federal army.

Several minor encounters had taken place in May, June and the earlier part of July. In most of these the Federals were decidedly and sometimes disgracefully defeated. On one occasion they ran at the first appearance of the enemy within 400 yards, spiking but not removing their loaded cannon, a prize of the greatest value to the ill-provided Confederates. The occupation of Alexandria was marked by an incident which shows how little either party yet understood the rules and limits of war. A certain Colonel Ellsworth saw a Confederate flag floating over an hotel. An English gentleman would have given a quiet hint to the owner, a Prussian martinet would have ordered a corporal's guard to remove it. The Yankee colonel dashed at the defenceless symbol as noisily as if it had waved over a battery, and tore it down. The owner shot him dead, and was of course killed by Ellsworth's followers. Southerners not yet disciplined by

martial experience applauded the hotel-keeper, whose want of soldiership and common sense was at least atoned by his defiance of death. But Ellsworth, for the exploit of an ill-conditioned schoolboy, was celebrated in prose and verse, and honoured by a public military funeral, at the head of which Mr. Lincoln had the bad taste to parade in person ! He learned better by severe experience and the counsel of real soldiers ; but no born 'leader of men' could have made so undignified a blunder, have set so mischievous an example. Both sides disgraced themselves at first, in spite of their West Point officers, by the cruel and senseless practice of shooting down sentries on their posts. But as both became used to war, they learned to treat armed enemies with soldierly frankness and courtesy.

In Western Virginia General Garnett, who had proved his capacity and courage on the staff of General Zachary Taylor, relying on the loyalty of the people he came to defend against invasion, sustained two minor defeats from a vastly superior enemy guided through secret paths by local partisans. On July 11 his second in command was attacked, and on the 12th obliged to retreat. General Garnett, thus exposed, was compelled to fall back and was overtaken by McClellan, and killed in the attempt to rally his rearguard. General R. E. Lee took temporary command in this department.

On July 14 the newly-elected Congress, in which, through the retirement of Southern members, the Republicans had an overwhelming majority, assembled at Washington. Mr. Lincoln's message, of course suppressing the transactions above related, represented himself as forced into war by the bombardment of Sumter. The President proceeded to narrate, in no apologetic tone, his repeated violations of the Constitution ; violations the less pardonable that he could have called Congress together at any time after March 4. In the fourth week of April, needlessly usurping the Congressional prerogative, he had declared a blockade of the ports of nine States, and thereby placed the country in a state of war. On May 3 he had illegally added 8,000 men to the regular army and 18,000 to

the navy. On April 27 and May 10 he had again usurped the exclusive prerogative of Congress by authorising military commanders to suspend the writ of Habeas Corpus in Maryland and Florida.

If the illegality of military coercion needed proof, it now stood confessed by the President himself. He could not, on his own showing, even prepare to coerce the seceding States without trampling under foot his oath of office, the supreme law of the land, the most unquestionable State rights and the guaranteed liberties of the American people. He forbore to tell how General Banks—ex-Speaker—had dealt with a majority of the legislature of Maryland, his lawful masters while he intruded on the soil of that State, as Louis Napoleon dealt with a minority of the French Assembly. It is scarcely necessary to say that every one of these acts was a political offence, for which the President, equally with the lowest of his subalterns, was liable to legal punishment. These things had been done under the pretext of ‘executing the laws,’ for as yet he did not pretend that war had suspended or altered them; the ‘war power,’ under which he set aside the Constitution which alone gave him or Congress any right to act or exist, was a much later invention. Indeed, he still clung to the childish notion of ‘dispersing combinations,’ and so forth. His ministers dealt with realities. The Secretary of War announced that when the three months volunteers were disbanded there would remain 280,000 men under arms, and asked for 400,000 more. The Secretary of the Treasury demanded \$320,000,000, of which a small part was to be raised by taxation, a larger sum by loans, and the rest by paper money. Congress, suppressing all discussion, proceeded to grant more than the Government asked; voted more than half a million of men and \$500,000,000 of money; expelled the remaining Southern Senators, thus recognising the validity of secession, since no State in the Union can be deprived of its equal voice in the Senate; and, sweeping the Constitution aside, voted down a proviso that the Army and Navy should not be used to subjugate States or reduce them to the condition of

Territories, and gave its illegal sanction to all the illegal acts of the President. In abolishing the whole law of the United States, and placing the liberties of the people under the feet of a military despot, Congress occupied just thirty-three days.<sup>3</sup>

In the meantime, the power to which the President and his adherents in Congress had appealed had passed a practical judgment on their proceedings. The wisdom of the dictator, the capacity and intelligence of his ministers, the ability of his favoured Generals, the quality of their boasted troops had been tried in the balance of actual war. Mr. Lincoln was the only man who may be credited with sincere belief in the theory, since elaborated in his defence by party apologists — that, with 50,000 men and an overwhelming artillery collected for its protection, the presence of 20,000 Confederates some thirty miles off was a menace to the safety of Washington. Every one of the Confederate armies was immediately confronted by an enemy of at least two-fold numbers. But their President was a trained soldier and statesman. The general plan of defence had been ably laid, and was to be executed by the most consummate soldiers in the old Army of the Union. Joseph E. Johnston held Winchester and Thoroughfare Gap in the Blue Ridge, through which passed the same railway line which connected Manassas and Washington. Patterson had strict orders not to let him escape, and 30,000 men wherewith to enforce them; such odds as the champion of the chess tourney might safely give to a school-girl. Beauregard advised the Government at Richmond that M'Dowell with 35,000 men was advancing by way of Centreville upon Manassas. Davis, who knew his men, fully relying on Beauregard's interpretation of the enemy's movement, telegraphed to Johnston on July 7, 1861, to abandon the valley, evade Patterson, and bring his forces at once to repel the attack on Manassas. The manœuvre was executed

<sup>3</sup> All done in this direction was of course simply null, not to say criminal. Congress had no more power to legalise Mr. Lincoln's usurpations than had any street mob or party club. Had the next House impeached him, or had he been arraigned before the Supreme Court, the votes of Congress would not have been admitted as material to his defence.

with consummate ability. Patterson and his 30,000 men were amused and fooled by an insignificant rearguard, and Johnston's arrival brought up the total force at Manassas to some 30,000 men, before M'Dowell with 35,000 reconnoitred the Confederates, who held the line of Bull Run, and prepared to turn their left. The original arrangement of the troops was Beauregard's; the plan of the battle which was *not* fought was his; but the superiority of numbers and the offensive he assumed gave the initiative to M'Dowell, and the actual command of the Confederates belonged to Johnston.

There was a skirmish on the 18th; on the 20th the two armies confronted one another; and on Sunday, July 21, at 10.30 A.M., Johnston and Beauregard learned from the sound of cannon that the Federal right wing were pressing their left and driving back their line. The character of the ground had greatly screened the invaders' movements, and thus given them, with their superior and concentrated artillery, a decisive advantage. A few Confederate regiments, turned and broken by several brigades, were driven from the fords of Bull Run and pushed back upon the plateau above, till they stood at right angles to the rest of their force. There they found General T. J. Jackson, just arrived with five splendid Virginian regiments from Thoroughfare Gap, 'standing like a stone wall.' Seven thousand men with thirteen guns confronted 13,000 with at least sixteen cannon of superior calibre. The Confederates held their own, though with extreme difficulty; the shattered regiments rallying, under the personal direction of Johnston and Beauregard, to right and left of 'Stonewall Jackson.' The brigades of Holmes, Early, Bonham, and Ewell were brought up in succession, and at last 10,000 men, largely consisting of beaten and broken regiments, were opposed to 15,000 fresh or victorious troops, some of them regulars.<sup>4</sup> The charge of the 4th Alabama

<sup>4</sup> So says Draper, whose figures are shown, by comparison with the best Northern authorities, to be those of blind partisanship. Neglecting the statement that 2,000 Federals had retired to refill their cartouche boxes, the numbers at this critical place and moment may be fairly reckoned as two to three.

scattered the New York Fire Zouaves, who were presently ridden down by a few Confederate horsemen, and ceased to exist as a regiment. Fresh Federal battalions were ordered up and driven back. Thrice rallied and reinforced, they were thrice vigorously repulsed. So far, for raw troops, both sides had shown firmness and courage.

The Federal left was also deeply engaged, and the battle was at its height, neither lost nor won, when Kirby Smith, who had just landed from the train at Manassas Junction with 1,700 fresh troops from the valley, came to the support of the extreme Confederate left. The Federals had been repeatedly baffled in their attempts to carry the plateau; they were already wavering, and Smith's appearance threw their whole line into confusion. More than half their army turned their backs and fled for their lives, deserting their cannon, flinging away their arms, packs and coats, and running unpursued as fast and as far as their legs would carry them. So abject was the panic, so complete and disorderly the rout, that a brigade of cavalry and horse artillery might, in all probability, have destroyed or captured two-thirds of the beaten army. They were saved by a series of accidents, only one of which was due in any degree to the steadiness of the troops or the skill of their Generals. The line of flight was such as to be screened from the observation of the Confederate commanders. It passed through or behind Centreville; and at Centreville the unbroken part of the army stood fast, chancing to present the aspect of a rearguard protecting an orderly retreat. The Confederates had as yet very few cavalry; their infantry had nearly all been engaged and were wearied out. The officer who chanced to bring authentic tidings of the abject panic of the fugitives to President Davis, who had now joined the victorious Generals, had gained a military sobriquet as an author of cock-and-bull stories. For these reasons there was no prompt pursuit; and when the morrow revealed the track covered with deserted waggons, packs, rifles and other signs of panic, the Confederate General—who probably credited his antagonists with a prudence and energy resembling his own—



supposed the fugitives safe under the strong entrenchments of Washington, and supported by fifteen or twenty thousand fresh troops. But the condition of the victorious army was a more critical consideration, of which he could speak less freely ; and no soldier will be surprised that 30,000 recruits, after a hard-fought battle and a stupendous victory, were not in such order, discipline and *morale* that a veteran General would choose to launch them against a vastly superior force, believed to be protected by field-works bristling with artillery.

## CHAPTER VI.

## ORGANISATION OF THE FEDERAL ARMY.

The North benefits by Defeat—The South half-demoralised by Victory—  
Appointment of M'Clellan—Quality and Condition of Northern Soldiery.

It is said by Northern writers that both armies were fairly beaten at Manassas. This is true only in so far as it must always be true of new troops after a well-contested field. The Federals were not merely beaten, but disgracefully routed; turned into a demoralised and terror-stricken rabble. The Confederates were so far 'beaten' that they were physically and mentally exhausted, and too much disordered by victory itself to be fit instantly to press its advantages to the utmost. But if the battle itself ended in a Northern rout felt by the North itself to be disgraceful, the humiliation was a wholesome lesson, turned to excellent account. Indignant and mortified, but not in the least discouraged, the youth of the North flocked in ever-increasing multitudes to the standard whose honour they were bent at once and at all hazards to redeem. There was no such cry of treason, no such disposition to turn upon their Government or their Generals as consummated the disaster of Sedan, and branded the lower orders of Paris, from the commencement to the close of the siege, with indelible shame. The people felt, and justly felt, that the defeat and disgrace were theirs; that their Generals and Government were responsible only in so far as both had yielded to the ignorant clamours of the press and politicians for immediate action. The most shameful incident of the story was that determination to construe the terms of their brief enlistment in a spirit of legal pettifogging, rather than

sheer cowardice, evinced when two regiments on the very day of the battle, deaf to the entreaties of their chief and the jeers of their comrades, had marched off the field to the music of the enemy's cannon.

Mr. Seward alone was not cured of his inveterate bragging, renewing the 'bills at ninety days' so signally dishonoured. But his chief and colleagues acted with vigorous sense and spirit. If Mr. Lincoln forbore to rebuke the misconduct of the troops, he probably felt that it was not for the civilian Commander-in-Chief to measure the trials or reproach the misbehaviour of those who had actually faced the perils of battle. Not one of the defeated Generals was dismissed or superseded. The only commander who had succeeded in the field, though his success was due to the numerical weakness of the enemy rather than to his own merits, was summoned to Washington and placed in supreme charge of the army. The selection was not merely politic, since it was a primary object to regain the confidence of the people and the troops, but judicious in itself. George B. M'Clellan was believed to be a master of the science of his profession, and proved himself possessed of the one quality instantly needful—that power of organisation which is one of the rarest of human gifts, involving a very uncommon combination of intellectual and moral qualities; a gift of which many able administrators, first-rate strategists, and splendid leaders in the field are wholly devoid. The North could furnish the raw material of soldiership in abundance, and of good if not of first-rate quality. M'Clellan accomplished admirably the supremely difficult task, not merely of turning a mob armed with rifles, such as were now most of the Northern regiments engaged at Manassas, into disciplined soldiers, but of organising regiments into brigades, brigades into divisions, divisions into an army. The creation of an administrative and military staff, the selection of subordinate officers for divisional and brigade commands, was an exceedingly embarrassing business, especially for a young General suddenly promoted to the highest place, in fact if not in name; even if none but professional considerations had

been brought to bear upon him. He had at his disposal a number of worn-out veterans of rank, of semi-superannuated majors and lieutenant-colonels, of junior officers tried only in command of companies in the Mexican War, fourteen years before, and in small independent commands on the Western frontier, in repressing Indian raids or Kansas riots. He was harassed by the claims of three classes of civilian aspirants—wretched intriguers like Butler ; popular and able men who had done much to raise regiments, who had been placed at their head, and whose dismissal would be a grave discouragement to recruiting, many of whom, with a brief practical training, would make very good officers—the flower of the class from which the vast number of regimental officers needed for a protracted war and a great volunteer army must perforce be drawn, while, on the other hand, a considerable proportion were morally or intellectually incompetent ; and ambitious or patriotic politicians, whose interest had pushed them into the highest commands before they had learned the rudiments of their duty, and whom Lincoln could not or dared not offend. Of this last class ex-Speaker Banks was an average representative ; less corrupt, perhaps, than the corrupt and incapable majority, more incompetent and less honest than the select few. From among these classes M'Clellan in the East, and afterwards Halleck in the West, had to form a body of officers sufficient for an army of half a million. West Point and the old Army, together with the large number of officers or students who had passed into civil life, might have furnished officers for a regular army of fifty or sixty thousand men ; but ten times as many were needed, and needed for novel and much more difficult work. They had to make soldiers, not merely to command them ; to teach subordination, obedience, exact discipline to multitudes whose instincts and education had taught them to regard subordination as humiliating, and to confound obedience with servility. Nearly every man who had proved his fitness to command a brigade was too old for active service. Of those who had enjoyed a military education, a majority must be judged exclusively by

their college record, or by a brief experience as ensigns and lieutenants. No small number of the highest, nearly all the lower, and a large part of the intermediate commands must be filled by men of whose military aptitude those who knew them best could form but a rough and doubtful conjecture from their extra-military reputation. Hate, jealousies, personal interests, and party influences interfered at every step. M'Clellan's every measure must be commended to men profoundly ignorant of military qualifications and conditions, very imperfectly aware of their own ignorance, far too prone to meddle, and forced by political influence to meddle where they had no sinister interest of their own.

The Secretary of the War Department, Cameron, of Pennsylvania, was the worst member of the Cabinet; a professional electioneerer or wirepuller, much maligned if he could be expected to sacrifice the political, personal and pecuniary interests of his allies to any military or public consideration—the last man whom a scrupulous and well-informed Chief Magistrate would willingly have entrusted with the control of an enormous and sudden expenditure, or with whom high-principled officials or high-minded soldiers could work cordially or satisfactorily.

The creation of the Army of the Potomac deserves, perhaps, more credit than its employment in the field during the next three years. The indiscipline and insolence which M'Clellan and his subordinates had to put down may be illustrated by a single incident. General Sherman, who after a little military experience had worked as a merchant, banker and lawyer in California and elsewhere, and had just resigned the charge of the State Military Academy of Louisiana, was one of the Generals of Manassas. He had held a command in the unbroken wing, and his division had sustained a heavier proportionate loss than almost any in the army. An officer of field rank, like many of the three-months volunteers, held that his time had expired, and informed Sherman that he was going home on furlough. When told that none had been granted him, he intimated his intention of taking it. Sherman ordered him back to his post, and threatened to shoot him if

he left it. On the same day Mr. Lincoln visited the army. After addressing the troops in language by no means suggestive of a great and disgraceful disaster just sustained, he finally expressed his willingness to listen to the men's complaints. The aggrieved officer, in his commander's presence, said, 'I spoke to General Sherman this morning and he threatened to shoot me.' 'Did he *really*?' drawled the President. 'Yes, sir, he did.' 'Well, then,' Lincoln replied in nasal, Yankee tone, and with his slow, drawn-out Western accent, 'if I were you, and he threatened to shoot me, I wouldn't trust him, for I believe he'd do it.'

While M'Clellan was necessarily making daily changes in the subordinate commands, a group of officers collected at Arlington House, which had been appropriated as the Adjutant-General's office, were talking together when a young subaltern brought in a list of new brigadiers, containing the names of Heintzelman, Franklin, Sherman and others who, ranking as colonels, had shared the 'stampede' of Manassas. Heintzelman exclaimed, 'By God! it is all a lie; every mother's son of you will be cashiered.' They were promoted, nevertheless; and most of them amply vindicated the soldierly justice of their new chief and the forbearance of the President.

## CHAPTER VII.

## THE CONFEDERATE WESTERN DEFENCES SHATTERED.

Fremont, Halleck, Sherman and Grant—Fort Donelson—Island Number Ten—River Battles—Two days' Battle of Shiloh—The Confederate Situation.

On the death of Lyon, Fremont had been appointed to the command of Missouri. He distinguished himself by preposterous personal display, ridiculous military ostentation, extensive contracts given to personal friends from California and elsewhere which furnished ground for subsequent serious charges of corruption; but thought to secure a support which would protect him in case of need by a proclamation confiscating the slaves and property of so-called 'rebels.' His recall, abundantly justified by his general conduct and vindicated by his subsequent failure as a soldier, was of course ascribed to this act of unsoldierly presumption and insubordination, which rendered him exceedingly popular in the North. Halleck succeeded him, and was entrusted with a general charge of the Western armies. To him General Sherman attributes the admirable selection of the line of operations in Kentucky, whereto the first Federal successes in the West, which did much to govern the subsequent course of the war, were primarily due. In conversation with Sherman, Halleck traced the first Confederate line of defence, and in discussing where it should be broken fixed on Bowling Green; but observed, significantly, that the line of attack coincided almost exactly with the course of the Tennessee river. That river was closed by Fort Henry; the neighbouring and parallel line of the Cumberland by Fort Donelson, an entrenched camp commanded by General Floyd, the late War Secretary, under

whom were Pillow and Buckner. Secretary Cameron, visiting the West, took the opportunity to display his signal unfitness for the charge of the War Office or of any important office whatsoever. Sherman remarked in private conversation that the expulsion of the Confederates from Kentucky would need 60,000 men, and the conquest of the South-West at least 200,000. Mr. Cameron ridiculed the idea, and communicated it to the press as a proof of Sherman's military insanity. The word was caught up, and actual madness was long ascribed to a General who, as it proved, had erred only in underrating the minimum force required for either purpose.

After several changes, General Grant of Illinois, who had retired with the rank of captain after the Mexican war, received the chief command in Kentucky; and the first important operation of the war in that quarter commenced by the seizure of Paducah, which at once arrested the advance of the Confederates, and placed a vastly superior force in front of their extreme left at Columbus. At the close of January or the beginning of February 1862 a powerful flotilla—already including four ironclad gunboats, so rapidly had the invention of Northern engineers and the energy placed by Western manufacturers at the command of the Navy Department worked to create a new and almost unknown species of naval force—moved up the Tennessee to attack Fort Henry, with its armament of seventeen guns and a garrison of some 2,500 men. At twelve o'clock on February 6 the bombardment commenced. Very speedily some of the strongest guns of the garrison burst. Resistance was absolutely impossible, and the commander directed the garrison at once to retire on Fort Donelson. He himself surrendered, with some sixty men, to Commodore Foote.

Grant had commenced his operations, as was his way, with a blunder. He was too late to intercept the garrison, and the result of this ill-concerted expedition was only the capture of an utterly untenable, however momentous, position. But its fall exposed Fort Donelson, and Fort Donelson and Fort Henry together formed the key of the Confederate defences



Strongly reinforced from the second Federal army in Kentucky, Grant moved at once upon Donelson. The Confederate commanders well understood the nature of the crisis. Donelson occupied some hundred acres on a bluff whose highest point was about a hundred feet above the river. Intended to command the river, its defences on the land side were distinctly weak.<sup>1</sup> As soon as a land attack was threatened, the Confederates exerted themselves to the utmost to strengthen their works, the soldiers labouring upon them day and night. Their numbers were then insignificant. The garrison of Henry came in on February 7. Three days later came Pillow's brigade, next that of Buckner, and last, on the 13th, that of Floyd, who as senior officer took the command. Before Floyd entered the place, Grant had already completed his lines, placed his batteries and brought his troops into position. The weather was bitterly cold; the bivouacked troops had no tents and no fires. The first attack on the outworks was repulsed, and the Federal wounded suffered cruelly through the long night under a bitter storm of hail and snow. On the 15th four ironclads and two wooden gunboats ventured within range of the Confederate batteries on the bluff, whose plunging fire speedily compelled them to retire, though with trivial loss.

But Floyd understood the weakness of his extended position, two miles and a half in length on the land side. Without exposing themselves to the fire from the bluff, Commodore Foote's gunboats might discover that they could bring their guns to bear upon a great part of the ground occupied by the enlarged garrison. The rest could be swept by Grant's artillery; and by seizing a point higher up the river the retreat of the Confederates might be cut off. The error of the latter seems obvious and vital. Their position combined the disad-

<sup>1</sup> It must be remembered that many forts, so-called in the history of this war, at least on the Confederate side, were little more than open and hastily constructed field-works. It is hardly too much to say that every work closed at the gorge was called a redoubt, however slight its profile, however small the space it occupied; and almost any work to which English engineers would have given that name is, in the despatches of American commanders as well as by non-military historians, described as a fort.

vantages of a fort and a hastily entrenched camp. A fort is meant to be held by a small garrison till it is relieved or taken. Its capture involves, as of course, the loss of its garrison, but such a loss can be afforded as the price of a prolonged defence. An entrenched camp can only be held by an army; and therefore its defenders, like other armies, must have an open line of retreat. The Confederate commanders had thrown an army into a weak position, liable to be attacked by a far superior force, from which retirement was, or ought to be made, impossible. Prolonged resistance was out of the question. The only chance was to save the army, which was cooped up within, rather than protected by, its extensive untenable lines.

The Confederates weakened their right in order to throw two divisions on the right and right-centre of the enemy, with a view to open the only road by which they could withdraw. The attempt was as bravely executed as daringly conceived. By 9 A.M. on February 17 Grant's right wing had been broken and driven from its ground, his right centre forced, and the road completely opened by the Confederate left. Wallace, who commanded the Federal centre, sent one of his brigades to support the right. It shared in the defeat of its comrades. A single brigade stood fast, but this held a position at right angles to the main body and flanking the Confederate retreat. Behind this force their defeated comrades rallied. The Confederates, encouraged but also disordered by this victory, renewed the attack, and were repulsed with a slaughter which threw them into confusion. At this moment Grant came upon the field. 'I saw,' he said, 'that either side was ready to give way if the other showed a bold front,' a common case with untrained and inexperienced troops. He ordered a general advance; the few troops remaining on the Confederate right were overpowered before Buckner, who had been withdrawn to force the Federal right-centre, could return to his position; and the enemy gained possession of high ground from which the entire right of the Confederates might be enfiladed. Buckner's retirement disheartened the Confederate left; Wallace attacked them at that very moment; they were driven back within their

works, and darkness only prevented the enemy from entering with them. Each party had lost about 2,000 killed and wounded. The latter lay helpless on the field in utter darkness and intense cold. The thermometer standing at 10° or 12° F., many were actually frozen to death.

The defeat of the Confederates was complete, their escape hopeless. The evasion of a small part of the army might be possible; the main body must surrender or be massacred with the break of day. Floyd's Northern accusers impute his conduct to his personal fears; absurdly, since in any treason of his Buchanan must have been an accomplice. General Tilghman, in a similar position, had dismissed his troops and himself held Fort Henry to the last. Floyd turned over the command through Pillow to Buckner. Pillow crossed the river alone; Floyd carried over his Virginian brigade. To secure the escape of the largest possible number who could retire from the fated fortress unseen was the imperative duty of the Confederate commander, but nothing should have induced him to accompany them. When their retreat was secured General Buckner offered to capitulate. Grant insisted on unconditional surrender. Buckner had no choice but to accept what he justly called 'these ungenerous and unchivalrous terms.' Grant was stung by the well-merited taunt, rode over to Buckner's quarters and agreed on formal terms of military courtesy. Between fourteen and fifteen thousand men surrendered to a land force of twice their numbers backed by a formidable flotilla. The disaster was terrible, and the disgrace had been enhanced by Floyd's personal conduct. Both he and General Pillow were severely reprimanded by President Davis and temporarily removed from command.

The whole first line of defence was thus broken. Polk was compelled to abandon the powerful fortress of Columbus. Bowling Green, at the other end of the line, was also evacuated; and Nashville, the capital of Tennessee, fell into the hands of Buell, commanding the second Kentuckian army.

On the night of January 17 General Zollikoffer, with less than 5,000 men, attempted to surprise a Federal force

of 8,000 commanded by General Thomas. The surprise failed; the Confederates attacked with desperate valour, but after a two hours' battle were driven into their entrenched camp at Mill Spring on the Cumberland and shelled until night, escaping under cover of darkness.

After the evacuation of Columbus, the most advanced point of the Confederate defences on the Mississippi was Island Number Ten. The river here makes a sharp bend to the southward, and again to the north, enclosing a large tongue of land. The island lies at the bottom of this bend; New Madrid at the north-western extremity, on the right bank, where the river turns again to the southward. The enemy attacked the latter, established a battery below the city<sup>2</sup> to close the river against reinforcements from the southward, and brought siege guns against the town. Its garrison were driven out and escaped to the island, abandoning a large quantity of arms and cartridges. On March 15 Commodore Foote appeared before the island with eighteen gunboats carrying thirteen-inch shell-guns, of which seven were armoured. The bombardment was sustained for nearly three weeks; three thousand shells were discharged and fifty tons of gunpowder burned, almost without injury to the garrison. By the advice of General Schuyler Hamilton, a canal was cut across the bend, turning the tongue into an island. Through this canal, twelve miles long and fifteen feet wide, Pope's Federal troops were ferried over to Tennessee on the left bank. The gunboats silenced the batteries at the landing-place, and their defenders were so hotly pursued that they were driven back upon the swamps, and compelled to surrender on April 8. Hereupon the garrison of the island capitulated, sacrificing one hundred siege, twenty-four field guns, and an enormous supply of military stores. The motive or excuse for so hasty a capitulation it is difficult to discern.

After this surrender, which was perhaps more severely felt by the Confederate Government and people than that of

<sup>2</sup> A city, in America, is properly equivalent to the English 'borough,' but the word is often applied to mere hamlets.

Donelson, the only work which closed the road to Memphis—the most important town of Tennessee and the most prosperous port between St. Louis and New Orleans—was Fort Pillow, defended by forty guns and, according to Northern writers, by some 6,000 men. Pope, with more than 20,000 on April 13 approached and prepared for an attack. Three days later his force was withdrawn and ordered to join the vast combined army under Halleck around Cairo.

A small Confederate flotilla which lay under the guns of Fort Pillow came out on May 10 to attack that of Commodore Foote. The Confederates had eight so-called ironclads, sheathed probably with railway iron, but as helpless against the strongly armoured vessels and tremendous guns of the enemy as the *Warrior* or *Gloire* against the last improved ships like the *Inflexible* or *Impregnable*. One after another the feeble improvised river-boats of the Confederacy were blown up or sunk; not one was taken. The Federal river fleet was largely reinforced, and on June 5 there was fought another desperate battle in which every Confederate ship but two was destroyed. One was captured, one escaped, and Memphis lay at the mercy of the conquerors.

After the fall of Fort Donelson Grant's army was vigorously pushed forward. The second line of the Confederate defence was established by Beauregard parallel to the Memphis and Charleston railroad. A powerful Confederate force under General Sydney Johnston was gathered at Corinth. Its full strength amounted at the utmost to some 40,000 men. Grant's advance, under Sherman and Macpherson, occupied a strong position, both its flanks protected by deep unfordable rivers, at Pittsburg Landing on the Tennessee, about thirty miles north of Corinth. Their actual strength was 40,000, but one division did not come up in time. The armies were roughly equal in numbers engaged, considering the deductions which any competent military critic would make from Johnston's nominal total. Close in Grant's rear was Buell with 40,000 more.<sup>3</sup>

<sup>3</sup> The Federal divisions here numbered 8,000 men, and five such divisions

At dawn on Sunday, April 6, commenced the battle known from a small church on the field as that of Shiloh. Grant's outposts were at once driven in by the Confederate advance under the command of General Hardee. Grant came on the field at 8 A.M.; at 9 one Federal division was completely broken, its camp captured and plundered. Sherman held his ground with much more firmness, and it was not until after noon that he and McClellan were hurled back, the greater part of their men in utter confusion. Hurlbut and W. H. L. Wallace had also been broken up by a succession of desperate charges. By two o'clock the Federal army had been crowded into a space of less than four acres on the very verge of the Tennessee. L. Wallace's division, the one which had not been engaged, was marching and countermarching within hearing and almost within sight of the firing. Five camps had been taken, guns lost, regiments utterly broken, and thousands of men disabled.

General Sydney Johnston was a worthy rival of the most successful captain in the Federal service. He had planned, and was about to execute, a movement which would have turned the Federal left, seized Pittsburg Landing, and captured the whole army. But, like too many Confederate Generals, he thought it necessary to lead and not merely to command. He was in front, under a tremendous rifle fire, when a bullet struck him in the leg and severed an artery. Had he acted as any Federal General, any European

formed Grant's army. Professor Draper's figures, here and everywhere, are open to Mr. Lincoln's famous criticism that, if the returns received from his Generals were true, the Confederate armies must number two millions, since his own one million were always 'crushed by numbers.' The Professor's estimates of the Confederate strength, even when he refers in general terms to Confederate authorities, are utterly worthless. A comparison with trustworthy Federal accounts suffices to expose him. I rely with confidence on Confederate official figures for Confederate numbers. About the Federals there is more uncertainty. Some Generals were more recklessly inaccurate than Dr. Draper, one or two only less trustworthy than Mr. Davis or General Lee. The Confederate President's prejudice against General Joseph Johnston affects his estimate of numbers at that General's command in 1863-4: and Draper's bitter enmity to McClellan so counteracts his usual bias as to bring his figures, in the account of the Peninsular Campaign, 'within measurable distance' of the truth

Commander-in-Chief would have done, had he recognised the supreme importance of his own life, the immediate application of a tourniquet—a resource which needs little or no medical knowledge—would have saved him and won the battle. But all turned on minutes, and those minutes were lost. The General rode slowly towards the rear unattended, fainted, dropped from his horse, and died. The advance was checked. Beauregard, the second in command, had been left sick in bed. Messengers sought him, and found that, hearing the firing, he had risen and ridden towards the front. Two hours elapsed before he was found; two hours' respite was secured to the routed army. The choice between reorganisation and destruction was obvious even to the demoralised soldiery. Some of the best officers in the Federal service were in command, and order was partially restored. Even now, had Beauregard known the condition of the enemy and the plans of his late chief, those plans might have been carried out. The attack was renewed; Grant's defeat was completed. More than three-fourths of his army were routed; but the rest held, with a long line of cannon and a terrific rifle fire, a ravine which covered the wreck of their forces. Again and again the Confederates were hurled back to the bottom of this ravine, where they were torn by the plunging fire from above and enfiladed by the heavy artillery of the enemy's gunboats.

Throughout the night, with senseless cruelty, the latter kept up a heavy fire on ground where more than 12,000 wounded men of both armies were lying. Of deliberate purpose their shells set the woods on fire. The underwood burst into flames; the fire caught the rotten bark and wood of the older trees. The Federal commanders should have foreseen that they would surely cause thousands of helpless men, Federals as well as Confederates, to be burned to death.<sup>4</sup> The perpetrators of this enormity, even more than its victims, had cause to bless the providential rainfall that drenched the ground and extinguished the fires. It is only fair to assume that both

<sup>4</sup> Draper, vol. ii. p. 297.

Grant and his naval colleagues had lost their heads, and fancied that only this incessant bombardment could avert their destruction. In truth, Beauregard, unaware of the neighbourhood of Buell, imperfectly informed of the confusion of the enemy before him, and deeply impressed by the terrific slaughter and the shattered condition of his own troops, had recalled them from the attack. At dawn, he meant to fall upon the remnant of the hostile army and sweep them into the river. With that remnant he could easily have dealt; but he had lost 10,000 killed and wounded. His exhausted and wasted battalions had flung themselves on the rich plunder of the captured camp; too many had spent the night in revelry, and the whole effective force he could muster for action on the morrow did not exceed 20,000 men.

On the other side Buell and L. Wallace had joined. Grant was reinforced by 27,000 fresh troops; and a force of more than 55,000, of whom barely half had been engaged in the first day's battle, confronted the worn-out Confederates. The latter, two to five, kept up a desperate but utterly hopeless conflict. Step by step—a Federal General says from tree to tree—from position to position, the Southern lines went back. Along their front, like Johnston on the previous day, under the hottest of that terrific fire, outflanked, outnumbered, overwhelmed, General Beauregard rode from regiment to regiment encouraging his troops, and maintaining with undaunted heroism a defence more glorious than the victory which had preceded it. Had the quality of the troops been equal, or anything like equal, the 20,000 exhausted, ill-armed, half-clothed Confederates must have been overwhelmed at once by sheer force of numbers, well-fed and unwearied. Two hours elapsed before they began to give way; their slow and stubborn rearward movement occupied many hours more. At last Beauregard saw that all was over, and turning to General Breckenridge, late Vice-President of the United States, whose division was the least completely shattered, gave him the charge of the rearguard. 'General, this retreat must not be a rout.'



Breckenridge pledged and kept his word. The shattered relics of the Confederate army withdrew, not exactly in good order—that after two days' fighting, in front of threefold numbers, was perhaps never accomplished by the finest veteran army in the world—but defeated and not routed. In the whole course of battle and retreat a few hundred prisoners fell into the hands of the victors. The retreat was so effectually covered by a rearguard tenfold outnumbered and utterly wearied out, that Grant's 50,000 victorious troops dared not pursue.<sup>5</sup> The loss of the Federals considerably exceeded that of the Confederates. Draper puts them at 12,600 and 10,700 respectively. In the first day's fighting the forces were fairly matched, and the defeat of the Federals was crushing. Nothing but the double accident of Johnston's death and Beauregard's delay saved them from destruction. They had nothing to boast of in the second day's victory of fifty over twenty thousand men. [Thirty thousand, if every man not disabled by wounds be included.]

But, glorious as was the battle, the defeat was no less disastrous. It completed the ruin wrought by the fall of Donelson and the capitulation of Island Number Ten. The former broke to pieces the first Confederate line of defence, and gave to the victors the whole of Kentucky and the northern part of Middle Tennessee. The latter broke through the defences of the Mississippi, and—coupled with the advance of Grant and Buell and the defeat of the Confederate flotillas, involving the fall of Memphis—gave all that part of Tennessee from which, as Southern in feeling and interest, the South had drawn men and material to the enemy. The invaders had reached the frontier of the Gulf States, and turned, though at a distance which rendered the operation of little practical moment, the first and even the second defensive line of the Eastern armies.

The frontier of the country still controlled by the Confederates was now a zigzag, running along the northern fron-

<sup>5</sup> Draper, vol. ii. p. 301. I quote this writer only as the most hostile and reluctant witness to Confederate courage and Federal failures.

tier of Arkansas, Mississippi, and Alabama, turning thence northwards, following the western mountain border of Eastern Tennessee and the Shenandoah Valley, and at or south of Winchester turning sharply south-east to the Atlantic. The country between this last line and the Potomac was neutral or disputed ground.\*

\* The reader who wishes to see how these operations were represented by the Federal chiefs engaged should consult Grant's and Sherman's Memoirs. Neither is candid; but they do not contradict the above narrative on any point of importance.

## CHAPTER VIII.

## ANTICIPATIONS OF THE VIRGINIAN STRUGGLE.

Terrors of the Federal Cabinet—Interference with Military Plans—Outrage on the *Trent*—English Forbearance—Butler at Fort Monroe—Battle of Hampton Roads.

It has been pretended by Northern writers, in the teeth alike of evidence and of probability, that the capture of Washington was the original purpose of the Confederate Government, the persistent object of Confederate strategy. The motive for the obstinate reiteration of this fiction is not historical but political. Mr. Lincoln's reputation is deeply involved. The secession of Maryland would have given Washington to the South. Its capture, following on the victory of Manassas, would have exercised a very important influence on domestic and foreign politics. But, this occasion lost, the idea of taking it by storm or surprise was no part of the Confederate scheme of defence or reprisal. It was of far more service in the enemy's hands; for the terrors of Mr. Lincoln and his Cabinet constantly distorted their military policy, crippled the offensive operations of the Army of the Potomac, and detained from fifteen to thirty thousand men in practical inactivity. It would have been easier for the South to reach Baltimore and raise the exasperated people of Maryland; which once accomplished, as it would have been accomplished had Lee been victorious at Antietam or Gettysburg, Washington would have fallen of itself. The strategy which would have wasted ten thousand lives in storming instead of turning a huge fortress outside the line of operations, and defended by an army—a place which tethered General after General to a false line of advance against Richmond—savours of the newspaper office

and the professorial study. It was the nightmare of Lincoln and Stanton; not the deliberate policy of a soldier-statesman like Davis, or of the consummate commanders of the Army of Northern Virginia. But to own the truth is to convict Lincoln of false pretences in the first instance, and of subsequent perverse and mischievous interferences with the operations of every commander of the Eastern army, from M'Clellan to Grant himself; and this, Republican tradition and the canonisation of the 'martyr-President' as yet forbid.

M'Clellan had created at Washington an army powerful enough, if properly employed, to bring the capture of Richmond, and even the expulsion of the Confederates from Virginia, within the scope of military probability. The Army of the Potomac, splendidly clothed, armed, and supplied, consisted on December 1, 1861, of 200,000 men, but this number included the large force employed to hold down under arbitrary rule the high-spirited people of Maryland. The flower of her well-born youth were in the Virginian army.

On October 19, 1861, M'Clellan directed General Stone, who commanded on the Western bank of the Potomac, to reconnoitre the position of the enemy. Stone threw a force of 2,000 men under Colonel Baker over the river at Bull's Bluff. The Confederate cavalry charged them and literally threw them into the river; 300 were shot or drowned; 700, many of them wounded, were taken prisoners. For this disaster Stone was imprisoned for months by the civilian chief of the War Department.

The Army of the Potomac was organised in brigades of four regiments and divisions of three brigades. Four field-batteries of six guns each were assigned to each division, giving in theory twenty-four, in practice perhaps twenty, guns to 10,000 men. A siege-train of enormous power for that day—one hundred guns, including two two-hundred pounders, five one-hundred pounders, and ten thirteen-inch mortars—was attached to the army. On March 8, 1862, the Government, interfering, for political ends, with a military organisation based on professional considerations, insisted on dividing the

active portion of the army into four huge army corps, with a fifth including the divisions of Banks and Shields, at that time employed in Western Virginia and the Shenandoah Valley. Such a distribution, before any of the new Generals had been tried in active service, could only impair M'Clellan's authority, hinder the promotion of young, able and active officers, and incur the strongest suspicions of political favouritism. By this time all the Federal armies were splendidly, and even lavishly, equipped and supplied.<sup>1</sup>

For a few months, while the disaster of Manassas was fresh in Northern memory, M'Clellan was permitted to work at leisure. But as the army was recruited to what seemed an overwhelming strength the impatience of the populace revived, and found expression in the Cabinet. The Administration had motives of their own for desiring in every possible way to weaken the authority of the Commander-in-chief. He was a soldier and a gentleman, and waged war after the usages and laws of Europe. He was no Radical and no Abolitionist; he was not amenable to the political motives which were paramount in the Cabinet, and, if successful, his name would furnish the War Democrats with a rallying-point, and render them exceedingly formidable at the next Congressional election. Weak as yet in experience, Mr. Lincoln allowed himself to forget the lesson of Manassas, and once more, at the instance of men as ignorant as himself, undertook to direct the course of armies. As early as November the Executive had begun to echo the vulgar clamour; to harass the responsible chief of the army with remonstrances based on the assumption that raw recruits were to be counted as soldiers, men of three months' training as veterans, and political agitators as competent strategists. It had, however, become evident to the President that Mr. Cameron was a

<sup>1</sup> Dr. Draper quotes General Pope's testimony to the contrary; but no other author would dream of relying on Pope's evidence. M'Clellan's mortal enemy, already famous for his reported capture, after Shiloh, of 10,000 Confederates (whom he must have eaten also, since they were never paroled, exchanged or released, and nowhere figure in the prison records), Pope wished to suggest that the Western armies, in which he had achieved that and some minor distinctions, had been sacrificed to pamper the unsuccessful Army of the Potomac.

mere intriguer, a politician in the worst American sense of the word. He was too influential to be simply dismissed, but was consigned to retirement in a high diplomatic position.

On January 13, 1862, Edwin M. Stanton, a lawyer notorious only as a violent Republican and bitter enemy of the South, was appointed to the War Department. He resembled the President in stubborn self-will and indomitable confidence. Under his direction the Department, no matter at what cost, did its proper work and did it well, though with utter recklessness of waste and speculation. In the West the soldiers had already gained the upper hand, and all that the Government could do was to take credit for the successes of Halleck and Grant, who were perhaps as much indebted for their good fortune to their distance from Washington as to their own skill, and the hardihood of troops drawn from a more martial population than that of the North-Eastern cities. At Stanton's instance Mr. Lincoln issued an order that on a day of especially good omen (February 22, the birthday of Washington), without regard to weather, condition, supplies, or the position of the enemy, all the military and naval forces of the United States—the troops of Butler, M'Clellan and Rosecranz in Virginia, the armies of Halleck, Buell and Grant, and the river flotillas—should be ready to move and should proceed to the attack. Needless to criticise such an order; to insist on the moral and intellectual weakness it betrays more certainly than far graver practical blunders. What must be the state of mind of two men, with absolutely no knowledge of war, who could thus presume, irrespectively of all military and meteorological considerations, to select by the almanac a 'lucky day' on which half a dozen armies were to commence offensive operations in as many different quarters?

Thus far M'Clellan had done all that organising genius and military skill could achieve. The moral firmness with which from the beginning of October to that of March he resisted the constantly increasing pressure of an ignorant President, an equally ignorant and bitterly hostile Cabinet, and a noisy people—a firmness which no covert threats of

removal, no newspaper abuse, no official insults could disturb—would suffice to prove him a man of calm judgment, of imperturbable temper, of strong, conscious and dauntless courage.

His plan of operations may have been good or bad. It was so deliberately sacrificed to that paramount terror for the safety of Washington which dominated the policy of the Government from first to last, that its failure might almost have been predicted by the General's warmest admirers. Of the state of things at Manassas President and General were alike uninformed. But from sheer timidity or perverse self-confidence, the Government urgently insisted that M'Clellan should take not that line which promised success, but that which would most completely shelter the White House and the Capitol. When M'Clellan persisted in choosing the Yorktown peninsula as his base—a preference fully warranted by the judgment of Cornwallis as well as of Clinton and the home authorities in 1781, the North having, as England then supposed herself to have, undisputed mastery of the sea—Lincoln suddenly withdrew from him, in addition to the 20,000 men the General deemed adequate to garrison the strong and well armed entrenchments of Washington, a whole army corps, needless and useless there, while sorely wanted in the field. The General had kept his secret to the last possible moment, but Lincoln's interference made it public; and it needed none of those imaginary 'female spies,' to whose agency the leading historian of the North ascribes the foresight of Confederate leaders and the invariable detection of any scheme once divulged to the Federal Government, to warn a General like Johnston of what was known to every one of the hangers-on of the White House and War Office, and every influential Republican editor in the North. The Confederates had been throughout the winter in terrible danger, but their secrets were better kept.<sup>2</sup> Victory had demoralised the army of

<sup>2</sup> The supposed despotism of President Davis is a pure fiction of Northern animosity. The true spokesmen of the South were silenced for ten years after the war by public rather than by personal considerations. Their archives,

Manassas more thoroughly than defeat could have done. The soldiers supposed that they could have taken Washington but for the over-caution of their chiefs, and the chiefs forbore to discourage the idea. The troops fancied, moreover, that the enemy were completely crushed and disheartened, that Virginia was safe for the time; and went home in such numbers that, despite the reinforcements forwarded by the Government at Richmond, the army melted away till at the reopening of the campaign it was weaker than on the memorable 21st of July. The defeats in the West, however, had done something to sober, little to frighten, and nothing to discourage the people of the South.

It was not till April 10, 1862, that the first conscription law was passed, enrolling every man between eighteen and thirty-five in the Confederate army. Reinforcements thus obtained could not, of course, be rendered speedily available, and the great Virginian campaign of that year was fought out chiefly by volunteers, with total numbers never exceeding 75,000. Of these 8,000 were stationed under General Huger and Magruder at Yorktown. Some 10,000 more under Stonewall Jackson held the valley of the Shenandoah. It was the misfortune of General Banks, not the worst of the politician-Generals of the North, to be confronted by an antagonist of whom the ablest and most experienced veterans of the Federal Army were presently the most afraid. In forty-eight hours of rapid retreat and vigorous pursuit Banks was

military and civil, were captured, and access to them was refused by the Federal Government to all but a few trusty partisans. The only Southern writers who ventured at first to speak out were those whose personal hatred of their chief atoned in Northern eyes for their political heresies. The truth, therefore, was suppressed, and falsehood monopolised the ground till most of those witnesses to whom America and Europe would have listened with deserved and implicit faith had passed away. The truth is that the Southern Congress discussed and opposed the measures of the Administration quite as freely as at such a crisis was at all justifiable. While the very existence of their country was at stake, the press and Opposition orators enjoyed far greater freedom of speech than was allowed to Northern partisans of peace. But Congress had the sense to keep its debates secret, and it was not till the appearance of Mr. Davis's elaborate vindication in 1861 that those who knew the truth had full and authentic means of proving it.



ignominiously chased across the Potomac, abandoning to the victors invaluable supplies—from which he derived the nickname of ‘ Jackson’s Commissary ’—3,000 prisoners and 9,000 stand of small-arms.<sup>3</sup> In the first week of March M’Clellan learned that the main Confederate army had been withdrawn from Manassas, and following it to that point discovered with no little mortification that a line of slender earthworks defended by ‘ quaker ’ cannon (logs painted to resemble guns), and at one time manned by fewer than 15,000 men, had kept ten times that number at bay for three or four months.

In December 1861 the Confederates had received a bright but momentary gleam of hope from one of those gratuitous outrages into which the example and encouragement of men like Seward and Stanton often led the military and naval commanders of the North. The Confederate Government had accredited James Mason of Virginia, and John Slidell of Louisiana, a Northerner by birth, to the Governments of England and France respectively. They safely ran the blockade, and embarked from a British port for Europe on board the British mail steamer *Trent*. This vessel, on a voyage between two neutral ports, was stopped, and the envoys taken out of her by main force, by Captain Wilkes of the *San Jacinto*. Wilkes’s self-justification demonstrates that he acted *in crassâ ignorantia*—knowing nothing but the temper of his Government. He appealed to passages in standard works of international law which applied solely to the arrest of ambassadors in their own or the enemy’s country ; which meant that Seward might have seized Mason and Slidell in Virginia or New York. The only historical precedent available, and that a very imperfect one, was the impressment of British seamen on board American vessels fifty years before ; a violence which America had made a ground of war, which Webster had subse-

<sup>3</sup> These were lost, according to Dr. Draper, by a force numbering *in toto* 6,000 men. This statement sufficiently illustrates the value of this historian’s figures. The losses and the language of the defeated General (who gives no hint that he had left half his force behind him) show that the army must have been superior to Jackson’s, at least 12,000 strong.

quently pledged the United States in a formal despatch to treat in future as a *casus belli*, and which England had long ago abandoned both in theory and practice.<sup>4</sup>

The naval authorities approved and rewarded with exceptional promotion, the House of Representatives with formal thanks, an act which displayed neither skill nor courage. In short, both ostentatiously gloried in the insult offered to England. But the tone of the English ambassador drove Mr. Seward to an instant disavowal, and the first news from England showed that Mr. Lincoln's Government had to choose between submission and ruin. That Government was in a dilemma. It had vaunted and absurdly rewarded, in a manner wholly unprecedented in civilised States, an outrage which must be at once disavowed, or punished by the recognition of the South, the destruction of the blockading fleet, the blockade of all the Northern ports, and the final dissolution of the Union. France was more than ready to support England by force; Europe expressed emphatic and unanimous disapproval of the offence. England was in a position to demand whatever reparation she would, on pain of vengeance as complete as she chose to exact. The North and Mr. Lincoln deserved no forbearance at her hands. Mr. Seward had resented the inevitable recognition of Confederate belligerency—a recognition justified in any case, and rendered instantly imperative by Lincoln's declaration of blockade—in language unknown to European diplomacy; and had drawn a most unfriendly distinction in favour of France, whose action had been identical and concerted, and whose temper was notoriously far more hostile. Rarely indeed in the history of nations have such advantages been renounced, such provocations condoned. The first draft of Lord Russell's despatch was as courteous as if the offending Power had given no previous cause of distrust. It was of necessity submitted to the Queen; and the last act of the Prince Consort's life of silent public service was the modification of the very few phrases that could possibly wound the pride or exasperate the temper of the Northern people. England demanded only the

<sup>4</sup> As in the Crimean War.

restoration of the captives and a salute to her flag. This poor reparation was granted and accepted without form or parade, in a manner ostentatiously quiet and almost secret. Instead of despatching a squadron to New York or Philadelphia, and exacting atonement in the face of the world, an English gun-boat approached almost unobserved an out-of-the-way fort, took the restored prisoners on board, and vanished so quickly that scarcely a dozen Northerners knew, save from the newspapers, that their Government had quietly stultified itself. Secure from retort, Mr. Seward followed his reparation by a boastful despatch, declaring that he would have kept the prisoners if the President had felt sure that the law was on his side, and taunting England with the surrender of her own favourite theory of maritime rights. Mr. Lowell's habitual unfairness does not characterise the regrets he puts into the mouth of the Confederate President :

'Twas a beautiful dream, and all sorrow is idle,  
But—ef Lincoln *would* ha' hanged Mason and Slidell !  
They aint o' no good in Eurôpean pellices,  
But think what a help they'd ha' ben on their gallowses ;  
They'd ha' felt they wuz trully fulfillin' their mission,  
And oh ! how dog-cheap we ha' gut Recognition.

The energy displayed by General Butler in overturning the Government, imprisoning the legislators and leading gentlemen of Maryland, setting at defiance her fundamental laws and solemnly guaranteed liberties, had earned him military promotion. True that he had never proved himself able to handle a company in the field ; but if one attorney were allowed to direct the movements of great armies and override the plans of soldiers like M'Clellan, another might well claim to be entrusted with a division. At the head of 12,000 men, Butler was placed in command of Fort Monroe, on the projecting tongue of land between Hampton Roads and Chesapeake Bay. This fort practically closed the mouth of the James and held the Confederate Navy Yard of Norfolk under blockade. Magruder at Yorktown confined this vastly superior

force to garrison duties which might have been as well performed by a single regiment. On one occasion Butler assumed the offensive ; but rightly forbore to expose, in doing work to which any trained soldier or student of West Point was competent, a life so useful in those more delicate functions for which he had already shown himself especially qualified, and in which he was to earn a reputation that will not be forgotten while the Civil War is remembered. With a just appreciation of his own powers, he preferred to commit the charge of an attack on the Confederate outposts to subordinates with some theoretical knowledge of war. He could scarcely have done worse in person. They blundered, mistook each other for the enemy, stumbled upon the wrong points and by ill-chosen roads ; and the disaster of Big Bethel, June 10, in which they sustained some loss and more disgrace at the hands of an inferior force, allayed for a time the martial eagerness of the General and his troops. Twelve thousand men remained inactive and, after the abandonment of Norfolk, absolutely useless during the Peninsular campaign, within a few marches of the enemy.

The same superiority in numbers which had given McClellan the opportunity of earning a reputation in Western Virginia secured to Rosecranz an ascendancy over troops commanded by the ablest officer in either army. With subordinates like Wise and Floyd devoid of practical experience in the field, with utterly inadequate force, starved, ill-armed and baffled by a hostile population, General Lee failed to achieve anything, or even to hold his own, in Western Virginia during the winter, and was presently despatched to take charge of the fortification of Charleston and other points on the South Atlantic coast ; a duty for which the best engineer officer in the 'old Army' was specially qualified.

The frigate *Merrimac* had been raised by the Confederates soon after the occupation of Norfolk. The Federal officers in charge having scuttled as well as fired her, the one process of destruction had arrested the other, preserving her hull intact. The Confederates, wanting at once iron and steel, skilled workmen and machinery, were compelled to resort to very rude

and primitive devices. They knew, however, that while useless as a wooden frigate, with scarcely a chance of passing through the blockade, and sure to be followed up and destroyed by the superior force of the enemy, she might by the very imperfect protection it was in their power to give her be rendered a match for several wooden vessels. In this, as in many subsequent instances, the imperfection of the result is the best proof of the ingenuity and perseverance brought to bear. Well-rolled plates, solid impenetrable armour, ironclads of elaborate construction, properly armoured gunboats or ships of war were the monopoly of the North. The South could, at best, construct such floating batteries as had been found useful for defence or attack in the later phases of the Crimean War. They gave the *Merrimac* a sloping iron roof and sloping sides, so arranged that, according to the belief of skilled artilleryists, an ordinary shot would glance off. The armour of the hull met that of the roof at a sharp angle close to the water line ; so that the vessel looked and steered much like a floating haystack, or barn submerged to the gables. The best built wooden frigate would have no chance but in out-manceuvring or out-sailing her, which was not difficult. Against a regularly constructed ironclad she would be in her turn utterly helpless from the comparative weakness of armour, artillery, moving and steering power.

On March 8, 1861, she came down the Elizabeth River into Hampton Roads, armed with eight eleven-inch broadside guns and a hundred-pounder Armstrong at either end. The sailing frigate *Congress* and the steam sloop of war *Cumberland* with twenty-four guns occupied the channel. Their shot, from nine and ten-inch guns, ‘glanced from her armour like so many peas.’ The ironclad, now called the *Virginia*, charged the *Cumberland*, whose commander apparently lacked the promptitude or wisdom to evade her ; struck her about midships, and made a hole large enough for a man to enter. Morris, who commanded the *Cumberland*, fought his guns to the water’s edge, hoping against hope that a lucky shot might find a weak place. In thus doing he sacrificed his own life and one hundred of his

crew ; who, either disabled by the Confederate fire or caught between decks, went down with the ship. Captain Buchanan of the *Virginia*, one of the ablest officers of the old Federal navy, then turned his attention to the *Congress*. The commander of the latter, failing to dispose of two or three armed river steamers which accompanied the *Virginia*, and which one well-aimed shot would have sunk, had run his ship aground. The *Congress* was soon in flames, and nearly half her crew were killed or wounded. Her commander, killed early in the engagement, was not responsible for the unwarrantable delay in striking her flag after her guns were silenced. Such a suicide, in face of an honourable foe, is a mere display of rage and spite in a single officer ; the sacrifice of a disarmed and helpless crew is simply criminal. The Stars and Stripes were hauled down at last, and the *Virginia* sent a steam tug to take possession. The captors were fired upon from the shore ; but the captive crew were permitted to escape. At a later hour the *Congress* was fired, and blew up. The steam frigate *Minnesota* had run aground in an attempt to charge the *Virginia*—luckily in water so shallow that the latter could not approach within a mile—and two other Federal frigates (one a steamer) had escaped. At dark the victor retired.

Two hours later the first of Ericsson's new ironclad turret-ships, the *Monitor*, reached Fort Monroe. She was all but unseaworthy, and during the three days' voyage from New York her crew had had a narrow escape from suffocation or drowning by the heavy seas that continually swept over her decks. Within the smoother waters of the roadstead she was, however, safe, and anchored alongside of the stranded *Minnesota*. With morning the *Virginia* returned. The *Monitor* held her position, and fired her two guns, throwing shot of 168 lbs. each, into the enemy. The *Virginia* had practically no mark save the turret, nine by twenty feet, to fire at, and this was too well constructed and too thickly armoured to be pierced. Nearly every shot glanced off ; only one struck the turret squarely, and that broke off short, the

head sticking in the plate. The *Virginia* on her part furnished a splendid mark for the heavy guns of the *Monitor*. Five times she attempted to run the latter down, each time receiving at a distance of a few feet two of her enormous shot. After repeated failures, after twice lying aground, while her antagonist fired into her at leisure, and receiving two broadsides from the *Minnesota* which would have blown any wooden vessel out of the water; finding one enemy inaccessible and the other invulnerable, the new commander of the *Virginia*—Buchanan having been disabled in the first day's fighting—gave up the terribly unequal combat, and withdrew his shattered and waterlogged vessel, her beak wrenched off, her armour pierced, bent and broken, to her former moorings.

The battle of Hampton Roads was the beginning of a revolution in naval construction and maritime war. The extremely defective character of both vessels—the one being as rude a substitute for an ironclad as need could produce, the other invulnerable to the enemy, but dangerous to her crew in anything like rough water—rendered their several triumphs the more significant. It was plain that for the future the line-of-battle ship must be succeeded by the armour-clad frigate; that wooden cruisers must be built not to fight, but to run from the smallest armoured antagonist. The effect of the *Virginia's* charge suggested a reversion to the naval tactics of Athens. With armour strong enough to remove the traditional dread of a raking fire, the ram was a more certain and destructive weapon than the gun. But it was left for other Powers, for France and England, Germany and Italy, and even Turkey, to read the lesson of which America had but given the hint, to test the comparative value of the turret and the broadside, and to reconcile armour incomparably heavier than that of the *Monitor* with first-rate sea-going qualities, in vessels thrice as large as the *Virginia*.

## CHAPTER IX.

### FALL OF NEW ORLEANS.

**Federal and Confederate Naval Resources—Position of New Orleans—Defences  
—Hostile Expedition Farragut and Butler—Bombardment of the Forts—  
Naval Encounter—Surrender—Butler's Government—His 'Woman Order'  
—His Recall.**

THE Federal Government was from first to last especially fortunate and admirably served in the Naval Department. Whilst the best officers of the army, men of Southern birth, had sacrificed everything to their State allegiance, the Navy retained the services of men equal in quality and much superior in number to their Southern adversaries. The Navy had two great advantages. Political interest tainted the whole Federal administration in every department; but ignorant and incapable politicians could not be placed in naval command. The odds, varying on land from two to ten for one, were on the water a hundred or a thousand to one. The South had not a single regular fighting ship, and could not build one. She had not a dockyard or naval arsenal, Pensacola being untenable against maritime attack. She had few competent constructors and no skilled artisans; she lacked alike the material and the machinery which enabled the inventors of the North to execute their ideas with equal exactitude, rapidity and facility. Her ports were in a few weeks blockaded by a swarm of vessels which, though an English corvette might have sunk a score of them at once, were swift, carried heavy guns, and to unarmed vessels or converted tug-boats were as formidable as regular cruisers. All the public and private works of the North pushed forward, under the joint stimulus of emulation, patriotism and enormous



profits, the construction of a war navy, neither intended nor able to cope with European ships, but aptly devised and admirably constructed for their proper work. Before the war was twelve months old the North had vessels of one kind or another, able to sink improvised rams and converted river steamers,<sup>1</sup> to bombard defenceless cities, to blockade not only Southern but English ports—it was not safe so to try the patience of France—to make their way up unprotected rivers and inlets, to burn and destroy, to intercept communications between the cotton growers of the South and the cotton manufacturers of Europe; and to achieve that which should have been the first object of Northern strategy, the command of the Mississippi.

The Confederate Government had done its best for the defence of New Orleans, the most important and most exposed city of the South. It lay at some distance from the mouth of the river, between the Mississippi and Lake Pontchartrain, on ground much of which was actually below the level of the stream, and protected only by a continuous *levée* or gigantic dyke. The whole country is a sort of floating delta, formed by the *débris* brought down in the course of ages by the Mississippi, the Missouri, the Ohio, the Arkansas, the Red River and other great tributaries. In the soil of this delta the digger strikes water at from two to six feet. Graves must be built, not dug, and the construction of forts is rendered difficult in the extreme by the absence of high ground on which to place, or of firm material whereof to construct them. The mouth of the great river lies in a low, sandy, projecting land of its own creation. The all but floating soil occupies less space than the innumerable shifting channels, through half a dozen of which ships may enter the main stream. At the neck of this peninsula, on opposite banks of the main channel, were placed Fort St. Philip and Fort Jackson, armed with 126 fairly powerful guns. Between them the river was barred by

<sup>1</sup> All the latter had the engines above water, nearly all paddles or stern-wheels, and few of them were as available for war as a Thames passenger-boat.

a sort of boom, a chain resting upon eight hulks, with wide intervals between them and spars trailed astern to admit the passage of driftwood, but oppose the ascent of boats. The naval defensive force consisted of a rudely constructed ironclad battery, the *Louisiana*, thirteen armed river steamers, and the ram *Manassas*. Fort Jackson, the larger of the pair, would hardly have been formidable at the mouth of a harbour where it might have had to encounter the broadside of a heavily armed ship of the line, with guns of the new type. Of the vessels, the *Manassas* alone might have encountered, at considerable disadvantage, one of the new Ericsson monitors; and of the rest half a dozen regularly constructed gunboats should have made short work.

Towards the close of February 1862 a powerful expedition was sent to attempt the capture of the great seaport of the South-West, the *entrepôt* of the commerce of the Mississippi Valley. It consisted of four so-called sloops—practically frigates, as American frigates in the war of 1812 were really ships of the line—seventeen gunboats and twenty-one bombships, under the command of the best officer in the Federal navy, Admiral Farragut; with transports conveying an army of 18,000 men under Mr. Lincoln's favourite civilian General. To entrust the safety of an army corps to one who had never handled a battalion in action, to expose him to encounter Southern troops under command of a real soldier, would have been an act of folly such as, even at this early period, it would be unfair to impute to Mr. Lincoln. But Butler and his army were not sent to fight. They could not enter the river till the passage was forced, the forts silenced and the Confederate flotilla sunk, when resistance would have been suicide on the part of the military, and would have exposed the women and children of New Orleans to wholesale massacre. For the work which he was sent to do Butler had already proved his qualifications. On the two or three occasions when he came within sight or hearing of Confederate cannon, he succeeded quite as well as a London lawyer of his age, suddenly snatched from his desk to lead 20,000

volunteers against Von Moltke's best pupil at the head of a Prussian army corps, might do. But, considering the character of the duties he was required to perform at New Orleans, the selection was perhaps the most judicious Mr. Lincoln ever made.

The first difficulty was to force the heavier vessels over the bar at the mouth of the river. At the shallowest part there were but fifteen feet of water, and the *Brooklyn* had to be dragged over by main force. On April 16 Commodore Porter brought his twenty-one bomb-vessels up the river, and, lying below the woods that secured them from observation, prepared to bombard the forts. On the next day the Confederates sent down fire-rafts, a mode of attack always extremely uncertain, and which proved a total failure. On the 18th the bombardment commenced. For six days and nights Fort Jackson was pelted without pause with gigantic shells, penetrating the earth to the depth of *twenty feet*, and exploding with the effect of an earthquake. Fifteen hundred such shells were thrown into the forts every twenty-four hours. Never before had flesh and blood, human hearts and nerves endured so prolonged and so terrific a trial. The mere concussion of the air and water broke the windows of houses thirty miles away, and stunned or killed a multitude of fish in the river. The guns of Jackson were repeatedly silenced, and as repeatedly reopened their fire.

On the fourth night of the bombardment Farragut attacked and broke the boom. Five ships and twelve gunboats, carrying three hundred guns, more than twice as many and far heavier than those of the forts, forced the passage in the night or early morning of April 20. They had the tremendous advantage of a large and immovable mark which the clumsiest gunner could hardly miss, while they offered a small and constantly moving target to the Confederate batteries. As soon as the flagship *Hartford* had passed the broken boom she brought to bear upon Fort Jackson such broadsides of grape and canister as no garrison could have sustained. The tremendous odds which the forts had had to confront may be

measured by the fact that the broadside of a single ship drove the garrison from their guns. The *Manassas* now charged the *Hartford*. She failed. A small unprotected Confederate vessel, with desperate heroism, dashed at the flagship, intending to board, and was blown up by a single shell. The *Brooklyn* in her turn silenced Fort St. Philip, evaded the *Manassas*, and destroyed another steamer. The resistance of the Confederate mariners was visibly and utterly hopeless—that of naked children to men in armour; but they fought to the last with suicidal valour. The *Manassas* smashed into one of the Federal ships, making a hole seven feet long, but only four inches wide; and, riddled by repeated broadsides, was at last run ashore and destroyed. Twelve of the Confederate flotilla were sunk or burned, the forts were silenced, the batteries at the water level which the fleet successively encountered were crushed by the overwhelming broadsides fired from the vantage height of the gun-decks.

The fate of New Orleans was inevitable. The water was so high that the ships commanded every work thrown up for its defence. Few of the exploits of Nelson, Collingwood or Cochrane will bear comparison with the resistance of the Confederates. Two rudely-constructed, ill-armed, unwieldy, half-armoured craft were opposed to five powerful men of war, each of them superior to half-a-dozen *Louisianas*; a few clumsy, slightly strengthened passenger-vessels, hardly equal to the 'penny steamboats' of the Thames, to a numerous fleet of regular gun-boats. An English squadron of twice the Confederate strength, attacked by such a fleet as Farragut's, would, unless fighting like the Confederates in defence of an all-important position, have scattered or struck. The nearest parallel case is the comparatively passive resistance of the Turks at Sinope.

On April 25, at 1 p.m., having passed up a river crowded with burning ships, and witnessed the conflagration of the merchant vessels, river steamers, cotton and coal, on and beside the *levée*, Farragut anchored off New Orleans. His cannon covered the defenceless city, and could have utterly

destroyed it in a few hours. The Confederate troops under Lovell had, as a matter of duty and of mercy, evacuated a town they could not protect. Farragut sent to the Mayor, demanding the surrender of the city and the display of the United States flag on the public buildings. The latter demand was a gratuitous insult, on which a man like Farragut could not insist. Having received the surrender, he sent a party of his own men to hoist his flag on the Custom House, Post Office and Mint. A mob, ignorant of the situation, hauled down the Stars and Stripes from the last named point, and Farragut thereupon warned the Mayor to remove the women and children—of a community of 150,000, with a single blocked railway line at command—as he would bombard the city within forty-eight hours. It is a pity that a gallant seaman should have disgraced himself in a moment of temper by the utterance of a threat which, to do him justice, he was the last man in the Federal service to have fulfilled.

On May 1 General Butler, who with his troops had listened at a safe distance to the roar of that unprecedented bombardment, received the surrender of the forts and took possession of the city. Before landing he had displayed his ignorance or contempt of military law and usage by putting under close arrest the Confederate officers who, *before* the surrender of the forts, had in pursuance of their duty destroyed the *Louisiana*. While the squadron ascended the river, took possession of some defenceless towns and demanded the surrender of Vicksburg—which, having even then some defences thrown up and guns mounted, was left unmolested—General Butler was displaying his qualifications at the expense of the women and children of New Orleans, and the few men, too old or too weak for military duty, who had remained behind. His first act of importance was to arrest and hang a gentleman who was alleged to have hauled down the flag from the Mint at a time when the city at large was as yet unaware of the surrender. The ladies naturally refused to speak to or answer the remarks of his officers and soldiers, crossed streets to avoid them, and showed with that quiet art in which the sex excels

their natural and righteous detestation of the invader.<sup>2</sup> Butler was probably ignorant what outrages the gentlemen and soldiers of England had endured for months from the populace of Boston, instigated by the favourite heroes of the Revolution. One single act of rudeness is even alleged to have been committed by any woman in New Orleans. It was their quiet scorn and dignified silence that Butler could not endure. Instead of arresting this single offender of the lowest class and giving her a week's deserved imprisonment, he issued the following order:—'As the officers and soldiers of the United States have been subjected to repeated insults from the women (calling themselves ladies) of New Orleans, in return for the most scrupulous non-interference and courtesy on our part' (New Orleans told a very different tale), 'it is ordered that hereafter, when any female shall, *by word, gesture, or movement*, insult or *show contempt* for an officer or soldier of the United States army, she shall be regarded and *held liable to be treated* as a woman of the town plying her avocation.'<sup>3</sup> It is scarcely necessary to characterise a proclamation which excited at the time first the incredulity, then the astonished disgust and abhorrence of the civilised world, the applause of New England and the cordial approval of Abraham Lincoln. The words in italics show that the President's favourite General had in view no indecent or offensive acts, but quiet or silent and thoroughly ladylike manifestations of natural aversion. A lady who left the pavement free to swaggering or drunken soldiers was liable by Butler's express order to the foulest of all outrages. That this was the intent of the order is as plain as words can make it; nor did the author himself disavow its unmistakable purport, nor does his historian dare to do so. Some Americans then in Europe

<sup>2</sup> General Butler alleged, and Dr. Draper repeats, as usual without authority, that *one woman on one occasion* spat upon a Federal officer. It is tacitly admitted that this was the worst and the only valid complaint that Butler or his officers had to make. No other act unbecoming a lady is put forward in excuse of his edict. Greeley, while using the most opprobrious and indecent language, has nothing to allege except verbal discourtesies, of which he gives neither evidence nor example. *American Conflict*, ii. p. 100.

<sup>3</sup> Draper, vol. ii. p. 314.

were so stung by the horror and loathing of their warmest sympathisers, so felt the shame reflected on their Government, their country and themselves, as to invent an interpretation of their own. 'Butler's soldiers were New England Puritans. Drunk or sober, they would have nothing to say to a woman of the town plying her avocation.'<sup>4</sup> Their European friends shook their heads. The language of the General was infamous in itself, and too likely to be acted upon by the soldiers whom such a General would form. Apart from their plain literal intention, the terms of the proclamation sufficed to stamp the character of its author, and reflected disgrace upon his Government, which neither rebuked nor disowned him. The unanimous judgment of European soldiers pronounced him a dishonour to his profession. It is not recorded that any Federal officer ever took occasion to manifest his sense of the fact that Butler had disgraced his uniform and his comrades.

Butler next distinguished himself by a reply of studied impertinence to Mrs. Beauregard, who requested leave to quit the city and join her husband. He was also involved in some commercial or quasi-commercial transactions which led to an enquiry, out of which, as a matter of course, the political interest which had made him a General brought him scatheless, if not stainless.

The indignation of the South found vent in an order by which President Davis justly pronounced Benjamin F. Butler a 'felon and outlaw,' to be immediately hanged if taken, and further directed that the officers of his command should if captured be reserved for execution. As to the sentence upon the criminal himself, the only comment it suggests is that it should have been anticipated by his own Government; but till his order should have been obeyed by a number of his soldiers, no general military reprisal seems justifiable. Any man of

<sup>4</sup> Greeley affected surprise and indignation at the literal and natural construction of the order, but was careful not to give one of his own. For the foul and filthy insult offered to the ladies of New Orleans he had no word of disapproval. See last note but one.

sensitive honour would have broken his sword, rather than serve under the author of the New Orleans Proclamation. But public law does not entitle belligerents to require that the enemy's officers should be gentlemen, much less to enforce that requirement by summary execution. Mr. Davis naturally, but somewhat hastily, assumed that such an incitement to outrage had been but too effectual; but it appears that a great majority of Butler's officers and privates declined to accept their General's invitation.<sup>5</sup>

There was but one exception to the license of language and conduct enjoyed by Federal diplomatists, civilians and commanders, naval and military. Napoleon III. was not a man to be trifled with. It was known that only English opposition prevented his interference, and while never missing a chance of outraging the patience of England and the rights of feeble States, the Northern Government was careful to give no offence to a Power so able and so ready to punish it. Of this exception to his otherwise unlimited discretion General Butler was not aware till he had quarrelled with the French Consul, and published a series of offensive charges in the most offensive language. The Consul was recalled, and Mr. Lincoln received

<sup>5</sup> Butler was accused, as his ardent admirer Dr. Draper admits, of tampering with the money in the banks, of speculating in confiscated or stolen property, carrying on dishonest, if not actually treasonable, traffic in sugar and cotton—in a word, of turning his position to profit by corruption and extortion. A commission which sat at New Orleans to investigate the transactions excused his misdeeds on the plea of 'patriotic zeal,' and of his desire 'to the extent of his supposed power to punish all who had in any wise contributed to' the defence of their country.

Coming from such a quarter, this amounts to an admission of lawless brutality; and when a partisan like Dr. Draper fails to offer answer or denial, he must be held to admit the other charges against his hero. Mr. Lincoln showed his entire approval of the 'Woman Order' by the favour and protection which, to the last hour of his life, he extended to its author. His warmest admirers observe a discreet silence on the subject; but the impunity of such an outrage would suffice to blacken indelibly a reputation on which there was no other stain. Unhappily this is not Mr. Lincoln's case. The Confederate Government repeatedly called attention to crimes of every kind, outrages upon the laws of nations and of war, from robbery and brutality to women up to cold-blooded murders. *In not a single instance* is it alleged that the offenders were censured or punished; but it stands on record that the remonstrances of Lee and Davis were received with sulkily silence or returned with insult.



an informal but significant hint which was respectfully obeyed. Butler was removed, for this fault alone ; and the duty of harassing, oppressing and insulting the unhappy citizens of New Orleans transferred to another civilian. General Banks was distinguished alike as a successful politician and an unsuccessful soldier. He was too cautious to entangle himself in illicit transactions ; it was said that he readily consented to wink at the greed and license of the swarm of civilian plunderers and jobbers which always followed the Federal armies.

Butler issued a characteristic address to his victims, full of the most extravagant boasts of his own humanity and generosity. He compared the Confederate soldiers to the mutinous and murderous sepoys of Delhi. He had had a right to hang or blow from guns every inhabitant of New Orleans, but he had 'only' imprisoned those who were *not* punishable by law with hard labour on a barren island—that is, had inflicted on Southern ladies and gentlemen, whom even he accused only of loyalty to their country, the treatment of the worst felons. His account of the 'Woman Order' is worth quoting, as perhaps the most magnificent extant specimen of that 'genus Mendacium' which Macaulay has so brilliantly described<sup>6</sup> and illustrated. 'Some of your women flouted at those who came to *protect them!* (from what?) By a simple order I called upon every soldier of this army to treat the women of New Orleans as gentlemen should deal with the sex ("as women of the town plying their avocation!").' He appealed to the 'just-minded ladies of New Orleans' to say whether they had ever been safer than since 'their streets had been held by an invading army.' The answer of the women of New Orleans and of the South was the epithet which clings to his name in all contemporary stories of the Civil War, and attests the feeling with which 'Beast Butler's' rule is still remembered by fifteen States of the Union. A lapse of twenty years has consigned to oblivion the cruel slaughter and wholesale ravages of the most ruthless war waged on a kindred people since the days of Charles V. Southern soldiers

\* See his Essay on Barrère.

have borne the pall of Grant, and may hereafter attend the funerals of Sherman and Sheridan. But there are names beyond oblivion or pardon; and among those names pre-eminent in shame and odium stands that of Benjamin F. Butler of Massachusetts.<sup>7</sup>

<sup>7</sup> Lowell's 'unfairness.' Mr. Lowell's personal popularity is even greater and better deserved than that of his poetry; and the latter has few closer readers or warmer admirers than myself. But it is well for his reputation that those who remember the conduct of Southerners in the field forget such lines as

'Gettin' our (Confederate) sogers *to run t'other way*  
And nut be too overpertikler in tryin'  
To hunt up the *very* las' ditches to die in.'

'Who'd ha' thought that them Southerners ever 'ud show  
Starns with pedigrees to 'em like theirn to the foe;  
Or when the vamosin' came, ever to find  
Nat'ral masters in front, and mean white folks behind.'

Or such exultation in Lincoln's worst act of pure vindictiveness as

'If we only had gut reecognition  
You'd have hed all you wanted. . . .  
*Quinine by the ton 'gainst the shakes when they seize ye.'*

These taunts have been deliberately reprinted, without a word of apology, for twenty years after the close of the war.

## CHAPTER X.

## THE PENINSULAR CAMPAIGN, APRIL—AUGUST, 1862.

Relative Strength—M'Clellan's Delusions—Confederate Retreat—Richmond—Battle of Seven Pines—Lee's Appointment—His Arrangements—Confederate Attack—The Six Days' Flight—Malvern Hill—Ruin of the Peninsular Army.

THE available forces, scattered over the Confederacy from Richmond to New Orleans, from the frontier of Arkansas to the Everglades of Florida, can hardly have numbered, in April 1862, 150,000, about one-fifth of those of the North. The Army of the Potomac outnumbered by three to one the utmost force that could be opposed to it. At the commencement of the campaign the Federal Government seized the occasion to humiliate the Commander-in-Chief,<sup>1</sup> by relieving him from that office and confining his command to the department of the Potomac. With a force of more than 100,000 men, subsequently largely increased—with an unlimited number of transports, men-of-war, and vessels loaded with stores, crowding the estuaries on his right and left—M'Clellan landed on the famous Yorktown Peninsula at the beginning of April. In his front was a line of thirteen miles very imperfectly fortified, and held at first by no more than 8,000 men, afterwards by twice that number. M'Clellan proceeded to fortify his base, to construct miles of trenches and batteries, and, what was far more necessary, miles of corduroy roads. On May 6 he was prepared to open fire upon the works in his front. On the 4th, however, the Confederates quietly abandoned their position and retired up the peninsula. At first one, and at last two divisions had kept at bay for a whole

<sup>1</sup> So ranked since Scott's resignation in the previous autumn.


month a vast army, with cannon, transport, and siege-train, and general military resources which multiplied the odds enormously. M'Clellan sent a strong force in pursuit, which came up with the Confederate rearguard, and, after nine hours' fighting on equal ground, was repulsed by inferior numbers with a loss of more than 2,000 killed and wounded. Fifty miles still intervened between Williamsburg, the last point retained by the Confederates, and Richmond. The utter inefficiency of the Federal cavalry allowed M'Clellan to report that General J. Johnston was in his front with a superior force (i.e., more than 100,000 men !) and very strongly entrenched.<sup>2</sup> The Federal advance compelled the withdrawal of the Confederate force from Norfolk, the destruction of the famous ironclad *Virginia*, and the abandonment of James River as far as Fort Darling, where the Confederates had established, and maintained almost to the end, works which closed the river against the attempted operations of the Federal navy.

After their repulse at Williamsburg, the Army of the Potomac moved with even increased caution towards Richmond. That city stands immediately on the left bank of the James. At a distance of about a mile and a half to the north runs the Chickahominy, a small but wide-spreading and swampy stream, flowing east by south, and falling into the James several miles below. Between this and the city rises a low ridge, completely covering the latter from the north. This, falling steeply towards the James, slopes smoothly and gently towards the Chickahominy. On the further bank of that stream the ground rises again somewhat more steeply and to a greater height. Along the slope south of the Chickahominy, about half-way down, ran the line of the Confederate defences, consisting of a rampart some eight feet high and perhaps twelve in thickness at the base, with a ditch of corresponding breadth and depth, turning after a while to

<sup>2</sup> Draper, vol. ii. p. 382. The writer, contrary to his invariable practice, overrates the strength and underrates the difficulties of M'Clellan. Johnston had at this time fewer than 50,000 men. He was not in any proper sense 'entrenched'—see *infra*, p. 298. The defences here described were chiefly of his successor's construction.

the southward, and covering Richmond on the east at about the same distance. M'Clellan's forces were established on both sides of the Chickahominy. His headquarters were exactly opposite Richmond, at the White House, some half-mile from the bridge which gives its name to the New Bridge Road, running north-east from the city. FitzJohn Porter's corps lay to the immediate right; to the left, still on the northern bank, were those of Franklin and Sumner. On the right and left of the latter were thrown two solid bridges; lower down were the railway bridge and Bottom's Bridge. In the wooded and often swampy ground south of the river, and facing west, were Casey and Couch in advance, supported by Heintzelman; the former facing south-west and nearly parallel to Sumner, the latter across the Williamsburg Road in the immediate rear of Couch. Casey and Couch both belonged to Keyes's corps. Only a vast superiority of numbers would justify, according to the general rules of strategy, the separation of the two wings of an army by a stream generally shallow and easily forded, but with swampy banks, and liable to be overflowed at any moment by a sudden rainfall. That superiority M'Clellan possessed. The whole force at Johnston's command was not more than equal to half the Federal army; and, under ordinary circumstances, two or three hours would suffice to bring strong reinforcements to the wing upon which the first attack should fall.

A very heavy thunderstorm fell during the night of May 30; and, foreseeing the rise of the Chickahominy and the temporary isolation of the Federal left, Johnston determined to throw his whole force upon Keyes's advanced corps. The Confederate centre was commanded by Longstreet, the left by Gustavus Smith and the right by Huger. The latter covered Richmond on the south-east. Casey, whose division was the most advanced, was attacked in the afternoon of the 31st, and caught unprepared. This ought not to have been, as the air-balloons freely used by the Federal army should have revealed the advance of the Confederates. Casey, after a gallant struggle, was forced back upon Couch, losing his camp and six guns.



Heintzelman came up, and the Federals stood fast at Seven Pines. Sumner, with Sedgwick's division, crossed the Chickahominy to their support. This movement was of supreme importance. The Federal left rested on Whiteoak Swamp, and was consequently secure from flank attacks; but the Confederates had turned the right, and if their movement succeeded the whole left wing of the Federal army must have been driven back on the swamp, to choose between surrender and destruction.<sup>3</sup> It chanced, however, that Sumner—acting under orders from M'Clellan, who, ill in bed, knew what was passing only by report—brought some 15,000 men and twenty-four guns on to the field exactly at the right moment and the right point. He came purely by chance upon the left flank and rear of the Confederates, as the swiftness and success of their own attack threw them into some confusion. A battery of twenty-four Napoleon twelve-pounders and the fire of a long line of infantry swept at close quarters the column which, turning the former Federal right, was pushing on for Bottom's Bridge. Thus taken at a terrible disadvantage, the Confederates behaved with the steadiness and courage of veterans. The South Carolinians charged the battery again and again; but no troops in the world could storm such a battery supported by five- or six-fold numbers. Their left was repulsed and driven back upon Fair Oaks, a part of the Federal position already conquered.

At this critical moment the mistaken feeling of the Confederate army, and that reckless self-exposure of their chiefs which only such a feeling could have justified, entailed upon them a misfortune like that which saved Grant's army at Shiloh. General J. Johnston was severely wounded by a shell. The command fell upon Smith, the chief of the worsted left wing, and the Confederate advance was arrested all along the line. The attack was renewed in the morning, but without success. About noon the Confederates retired into Richmond,

<sup>3</sup> Draper, vol. ii. p. 387. By the 'left wing' I mean the force south of the Chickahominy; 'the right,' in this passage, is the right of *that wing*, the part nearest to the stream.

carrying off the spoils. R. E. Lee had been appointed General-in-chief in March, and now that Joseph Johnston was disabled, he was at once called on to command the army in front of Richmond. He judiciously resolved to strengthen the fortifications as far as possible, so as to liberate the main body of the army, yet secure the city and Government against a sudden surprise. Mr. Davis's cordial support of this plan presents one more signal contrast between the rival Presidents. 'The man of the people' kept a whole army idle at the most terrible crisis, to protect the strongly fortified capital, the Departments and the White House; the soldier-statesman postponed everything to success in the field, thought little of Richmond and nothing of his own safety.

M'Clellan's whole force was about 160,000, with 115,000 actually present for duty. Lee had scarcely half the latter number, and all the forces within his reach in Virginia would not give him half the former, yet he resolved to take the offensive and repeat the manœuvre which had decided the battle of Manassas. Stonewall Jackson, who had then brought up the last considerable body of Johnston's army, was now in Johnston's place as commander in the Valley, where he had baffled and scattered three distinct armies under Fremont, Shields, and Banks, each probably equal to his own. Jackson's successes had terrified Lincoln and his Cabinet out of their self-possession, had caused them to recall M'Dowell when on the point of joining M'Clellan, to telegraph Fremont to join M'Dowell, and to despatch panic messages to the Northern States to send all the militia and volunteers they could muster for the protection of Washington—threatened by 10,000 men and protected by five times as many.<sup>4</sup> This happened at the end of May, contemporaneously with the battle of Fair Oaks or Seven Pines. Jackson had thrown the whole North into a panic, neutralised a force of 60,000 men,<sup>5</sup> diverted large reinforcements from M'Clellan, taken from an enormously superior enemy several guns and a thousand prisoners, with a total loss

<sup>4</sup> Draper, vol. ii. p. 395. What he admits to Lincoln's discredit is absolutely indisputable.

<sup>5</sup> *Ibid.* p. 397.

of 1,200 killed and wounded. He was master of the situation. The battle of Fair Oaks had paralysed not the Confederates but the Army of the Potomac, and during the greater part of June M'Clellan lay idle, fortifying his left wing on the south of the Chickahominy, bridging the stream, repairing the almost useless roads, and securing a retreat in case of disaster to the shelter of the gunboats on the Lower James.

General Stuart, the Rupert of the Confederates, with 1,500 cavalry, rode round the whole army of M'Clellan, cut his communications for the moment, captured supplies much larger than he could carry away, with a number of prisoners, and returned unopposed to Richmond. This operation thoroughly frightened M'Clellan, and still more completely frightened his Government. He had failed to carry Richmond when guarded by some 50,000 men alone; he was not likely to force his way over the same army and through entrenchments constructed by a consummate engineer. He must concentrate on one or the other side of the Chickahominy. He had lost all reliance upon his communications with Washington, and must either fall back or attack Richmond from the east, on the southern bank of the Chickahominy. This move required the destruction of all his stores at White House and Mechanicsville, and nothing but the fact that the Confederates held no bridge over the stream within ten miles of that point gave him time for the operation.

Lee's plans were complete. He summoned Jackson from the Valley to strike the enemy's right, and on Thursday, June 26, A. P. Hill—next to Jackson and Longstreet the ablest of his lieutenants, though scarcely more than thirty—crossed the Chickahominy and, after waiting till afternoon for Jackson, attacked but failed to carry the strong fortified position which covered the extreme Federal right. On the 27th Jackson came up. D. H. Hill and Longstreet crossed the Chickahominy at Mechanicsville, seized the remnant of M'Clellan's stores, and fell upon Porter, who covered his chief's retreat on the northern bank, while Jackson moved forward



on their left. Five days of desperate fighting, costly but glorious to the Confederates, disastrous and, in a military sense, almost ruinous to the Army of the Potomac, began with the battle of Gaines' Mill. This battle was fought between Porter, with supports that brought his strength up to 35,000, and Hill and Longstreet, afterwards supported by Jackson, on the Confederate side. Considered as the rearguard of a retreating army, Porter did his duty admirably.<sup>6</sup> According to Northern writers, Lee had been reinforced by a large number of the conscripts, who formed a great proportion of the assailants and who had never been under fire.<sup>7</sup> If so, those conscripts were better soldiers than any of M'Clellan's year-old troops. They charged up to the muzzles of the guns, and, mown down like grass, repeated their charges for an hour and a half, and finally carried the left of the position, driving Porter's whole force in utter confusion across the Chickahominy with a loss of 9,000 men and twenty-two guns. Nothing but the simultaneous arrival of night and a strong division of fresh soldiers, gallantly led by Meagher (whose conduct as a Federal soldier here and at Fredericksburg effaced the shame of the Irish rebel and parole-breaker), saved Porter's command from utter destruction. The loss of the Confederates was considerable, but the Federals lost the whole of their ground north of the Chickahominy, with stores worth millions of dollars. Yet M'Clellan wrote next day to the Secretary of War—that he had been overwhelmed by vastly superior numbers—that with 10,000 additional men he could take Richmond to-morrow—and that if he saved his army it was in spite of his Government. On the same occasion on which these singular contradictions betrayed the disturbance of his mind, he explained the 'strategic movement' or 'change of base,' to which the strange coincidence of Lee's attack gave, in the eyes of both armies and of the world at large,

<sup>6</sup> The numbers were about equal, for only a part of the Confederate army was engaged, and its *total* did not, as Dr. Draper pretends, amount to double Porter's force.

<sup>7</sup> The Act had not been three months in force, and any levies obtained under its provisions must have had less than a month's instruction.

the appearance and effect of a disastrous retreat before a victorious enemy. With twofold numbers and enormously superior artillery, the only hope of the Army of the Potomac was escape across twelve miles of swamp and forest to Malvern Hill. There they might make a stand with unequalled advantages of ground, and if victorious might escape to the protection of their gunboats on the James. Jackson was pressing on their rear, Longstreet and A. P. Hill moving to intercept them, Magruder and Huger to strike their flank. But the 'strategic movement' was too rapid and the enemy's force too superior for the successful execution of this plan. The fugitive army abandoned or destroyed the munitions and supplies that could not keep up with its march, abandoned its wounded and sick, fired its trains, and kept ahead of the pursuers. On the evening of Sunday, the 29th, Magruder caught up Sumner, and, with a small division against an army corps, pressed on till dark, when Sumner escaped into Whiteoak Swamp, leaving 2,500 sick and wounded to the enemy. At four on the next afternoon Longstreet and Hill came up with the retreating line near Frazier Farm. M'Call, upon whom they first fell, bears testimony to the unequalled impetuosity of the Confederate attack, the failure of the most destructive artillery and musketry fire, which mowed them down at short distance, to check them for an instant. Advancing under that fire over six hundred yards of open ground, they carried the battery and inflicted tremendous loss upon the retreating army.

But on Tuesday, July 1, the latter was concentrated on Malvern Hill, a position of enormous strength; an elevated plateau, perfectly clear, one mile and a half in length by half a mile in breadth, sheltered on the north-west by a ravine extending to the James River and liable therefore to be enfiladed by the enormous guns of the Federal flotilla. The long, smooth, gradual slope by which the Confederates must attack was not only swept by the fire of three hundred guns,\* many of them heavy siege pieces, but was intersected by

\* Chesney. Draper says 70!—perhaps a misprint for 700. *Vide infra.*

defensible ravines. Both flanks of the Federal army rested on the James, and were protected by the gunboats. The Confederate army had only half M'Clellan's strength, and but a small part of their force was actually brought to bear. It would seem that Lee relied too implicitly on the demoralisation of the enemy, for the defences were such as no dash or daring could overcome, the advantages of position and number such as ensured victory to any troops who had but the heart to stand fast behind their impregnable shelter. Chinese could have held them against Englishmen—if they would.

'There were crouching cannon waiting for them, and, ready to defend all the approaches, sheltered by fences, ditches, ravines, were swarms of infantry. Tier after tier of batteries were grimly visible upon the slope, which rose in the form of an amphitheatre. With a fan-shaped sheet of fire they could sweep the incline, a sort of natural glacis, up which the assailants must advance. A crown of cannon was on the brow of the hill. The first line of batteries could only be reached by traversing an open space of from three to four hundred yards, exposed to grape and canister from the artillery and musketry from the infantry. If that were carried, another and still another more difficult remained in the rear.'<sup>9</sup>

The Confederates held back until late in the afternoon, probably because the divisional Generals recoiled, as well they might, from such a position. Magruder and D. H. Hill seem to have been ordered to advance as soon as their batteries had broken the Federal lines. Magruder anticipated the signal, misled Hill, and both made desperate efforts to rush through the overwhelming shower of fire. The assaulting columns burst through the sheet of canister and shell poured upon them from the batteries, and actually closed upon the guns, only to be repelled with terrible loss of life, and, what mortified them more, of prisoners and colours, by the overwhelming numbers of the Federal infantry.

The repulse was a cruel disappointment, a most mortifying

<sup>9</sup> Draper, ii. 411.

close to six days of incessant fighting and constant victory. It enabled the Government at Washington and its historians to claim the most ruinous and costly disaster they ever sustained as an equal contest, or, as M'Clellan called it, 'a voluntary change of base successfully carried out.' The beaten General knew better. Malvern Hill was an almost impregnable position, but not one that could be converted into a permanent camp. Within two hours after the Confederates had drawn off, with a loss of 2,000 men, the Army of the Potomac continued its retreat in a confusion almost as great as that of M'Dowell's memorable rout, and escaped under cover of night to Harrison's Landing.

Here they were secure. Up to Fort Darling, eight miles from Richmond, where they had sustained a repulse which left them no inclination to renew the attempt, the river was in the undisputed possession of the Federal fleet. But the result of the continuous battle from Mechanicsville to Malvern Hill was the practical ruin and utter demoralisation of the Army of the Potomac. Of 120,000 men<sup>1</sup> who had followed M'Clellan from the peninsula or joined him on the march or in camp, he reported only 50,000 remaining with the colours. He overrated his actual losses, but of the 80,000 additional men whom President Lincoln found present on his visit to Harrison's Landing, the great majority must have been stragglers and demoralised fugitives, who would not for weeks to come be available soldiers. The losses from June 26 to July 1 were officially reported at 17,500; the actual total must have been very much greater. The Confederates had captured at least 8,000 men, sixty guns and an immense quantity of stores. The campaign had cost the North from 80,000 to 35,000 men, and an incalculable quantity of artillery, small-arms and material destroyed and captured, to say nothing of military reputation. The French Princes, who had served on M'Clellan's staff, and had shown high courage and some military aptitude at the commencement of the retreat, acknowledged the completeness of the disaster by leaving Harrison's

<sup>1</sup> Draper says 160,000.

Landing the day after they arrived there. As between two equal Powers the blow would have been decisive ; but the difference of strength was such that no losses, however severe, made any practical impression on the overwhelming numbers and resources of the North ; while victory, no matter how complete, cost the Confederates more than the gain of ground, prestige and strategic advantages was worth.

Three months after the ruin of their greatest army the Northern forces within call from Washington were as strong as ever. The conscription had by that time brought the whole male population of the South between eighteen and thirty-five <sup>2</sup> into the field, and the utmost efforts of the Government at Richmond could hardly do more than restore the original number at Lee's command. The course of the war thus far, though encouraging to the troops and people, must have inspired grave misgivings in the statesmen and Generals of the South. Northern numbers could not win a battle or force lines held by a resolute soldiery, but if properly handled they could neutralise victory in the field and ensure success in a campaign. Together with the results of the war in the West, the Peninsular campaign taught another lesson of terrible significance. No troops could face superior forces backed by the tremendous artillery of the river gunboats. To the Confederates a navigable river in front or rear might be made an impassable obstacle. The Federals, with such a river in their rear, instead of being liable like other armies to be driven into it, were sure to find shelter on its banks. Again, the whole territory of the Confederacy was so pierced and intersected by navigable rivers that this single advantage must suffice, if properly used, to decide the issue of the war. No part of the South was safe. Even if the invading armies were repulsed, cavalry raids and naval expeditions could penetrate the inmost recesses of the country, reach its principal cities, burn, waste, plunder and destroy at will. M'Clellan was the last Northern General who waged war like a soldier, a gentle-

<sup>2</sup> The conscription was afterwards extended to boys of seventeen and men of fifty.

man and a Christian, who endeavoured to protect the persons and property of non-combatants. To this, as much as to the negative results of his strategy, must be ascribed the animosity of the Republican party and the ingratitude of the Government, which owed to him its salvation at two moments of extreme peril, the creation of an army and the preservation of the Capital. The favourites of the War Office were renowned for an exactly opposite temper and policy. M'Clellan's immediate successor was equally distinguished by the vigour of measures and menaces directed against non-combatants, and for his signal failure in the field ; and the indulgence shown to Pope, Milroy, Hunter and other commanders of the same school, in spite of defeat and disgrace, presents a signal contrast to the severity with which Generals of the earlier and better type were treated after such disasters as Gaines' Mill, Fredericksburg, and Chancellorsville.

## CHAPTER XI.

## WEST AND EAST.

Comparative Quality of the Federal Armies—Lincoln's and Davis's Choice of Men—Battle of Corinth—Holly Springs—Failure of the Campaign—Capture of Arkansas Post.

- THE contrast between the Western and the Eastern campaigns, the invariable failure and disaster which attended the Federal arms in Virginia, the success, chequered with defeat and disgrace, of the Western armies, are not to be explained by any difference in the skill of the several Generals or the quality of the Confederate troops. Grant, when first confronted with Lee, fared little better than Burnside, Hooker, and M'Clellan. The distance from Washington, which now protected the former from the incessant interference of ignorant civilians, was almost compensated by the greater resources and far shorter lines of communication enjoyed by the Army of the Potomac. Sydney and Joseph Johnston were only inferior to Lee; and Hardee, Polk, Bragg and Beauregard were fairly equal to the Virginian captains, Stonewall Jackson excepted. Buell and M'Clermand, if less open to reproach for inaccuracy and boastfulness than Hooker and Pope, enjoyed equal opportunities of displaying the same military deficiencies. The Virginians were unquestionably the flower of the Southern people, perhaps of the English race; but, the Virginians excepted, the Western and Eastern armies of the Confederacy were recruited from similar material and subjected to fairly equal discipline. Bragg was hated as the nearest approach to a martinet in the service. The signal contrast in the fortune of war must apparently be ascribed to a radical difference in the material of the Northern armies. The Germans, who were perhaps the *corps d'élite* of the West,

were better military material than the Irish immigrants whose martial spirit hurried them in disproportionate numbers to recruit the Eastern armies ; but the Irish were among the best troops that M'Clellan and his successors commanded. The truth seems to be that the manhood of the Far West consisted largely of picked adventurers or their immediate descendants ; daring, energetic, and, though in a less degree than the Southerners, accustomed to the use of firearms and a rough hardy outdoor life. The manufacturers of New England, the miners of Pennsylvania, the city populations of Boston, Lowell, Buffalo, New York, Philadelphia and Pittsburg were, if not degenerate, physically and materially inferior ; partly because the flower of the Eastern population had been constantly drafted to the West. Few of them had learned to sit a spirited horse ; few had the opportunity and fewer the taste for active sports. The officers were worse than the men ; not unfrequently of a lower social grade and moral character, often promoted by interest and intrigue, and so ignorant that the introduction of an elementary professional examination weeded them out in numbers, even after some months of drill and experience in the field.

The favourite education of the Southern gentry was that of State military schools. The planters and their sons and a large proportion of the poorer white population were commonly splendid riders and admirable shots, delighting in hunting expeditions, during which they 'camped out' for days together among their extensive forests ; the best possible preparation for war. The officers taken from the former class were respected by their men, and confirmed that respect by courage carried to the point of recklessness. Incident after incident told by hostile witnesses testifies to the supreme and unrivalled daring of that matchless Southern infantry, on which the North itself bestowed the epithet of 'incomparable.' Even the men of Illinois and Ohio were broken, like all other troops, by the moral effect of wholesale slaughter. Again and again their antagonists displayed an utter fearlessness, a sheer indifference to death, and charged, like the Highlanders at



Culloden, through a fire that failed to daunt till it had destroyed them. During the first two years of the war the Northern, and especially the North-Eastern, cavalry was inefficient in its special functions, and inferior in action. It never equalled the splendid cavalry of the Virginian army under Stuart, Hampton and Fitzhugh Lee, or the admirable mounted guerillas of the South-West under Forrest, Imboden and Stephen D. Lee.

Immediately after the battle of Shiloh, Halleck, superseding Buell and Grant, took personal command of the overwhelming Federal army, and deprived Grant of employment by leaving him the nominal rank of second in command. The rest of April and the whole of May were spent in reorganising and reinforcing a soldiery half of which had been completely demoralised. With more than 100,000 men opposed to one-third of that number, Halleck took six weeks to march less than thirty miles, entrenching himself at every pause. On May 21 his advanced artillery was but three miles distant from Corinth; but it was not till the 26th that Beauregard commenced the evacuation of a position he had no means to maintain, and not till the 30th did the invaders enter the counterfeit fortifications and occupy the 'quaker' batteries.<sup>1</sup> President Davis, whose large experience both in military administration and in actual service gave him far greater right and far less readiness than Mr. Lincoln's to meddle with military operations or pass judgment on real soldiers, now committed his first great mistake: superseding Beauregard, who had temporarily withdrawn from extreme ill-health, and placing Bragg in chief command. The latter was a thorough soldier, a sound tactician and a strict disciplinarian. But, though chargeable with no obvious professional fault, he had the worst faults that can render a General's talents useless: he incurred and never overcame the dislike of his men, and he was unlucky in the field.

It is curious that both Presidents, at nearly the same time, committed the same error in converse forms. The one dis-

<sup>1</sup> Draper, vol. ii. p. 307.

countenanced, thwarted and finally superseded the only General who retained, in spite of disaster and disgrace, the confidence as well as the affection of the Army of the Potomac; the other appointed a General who could never win the regard of his troops. Northern Republican commanders were sure of support and promotion till their proven incapacity had led to disasters signal and serious enough to compel their dismissal. Democrats were got rid of at the first failure, or kept in the background, like Hancock, in spite of proven superiority and a faultless record. The paramount rule of the Federal War Office was that, after M'Clellan, no Democrat should have a chance of rising to a commanding position and reputation.

Mr. Davis is charged with persistent injustice towards two of the best Southern Generals.<sup>2</sup> His quarrel with the commanders at Manassas began a few months after that battle, and it seems clear that he never overcame his prejudice against them, even when compelled by popular, military or cabinet urgency to employ them. Both Presidents were self-willed men, actuated and justified in their own sight by the sense of a tremendous and inalienable personal responsibility. 'In the last resort,' said Mr. Lincoln, 'it is I who must decide.' But that tremendous and ultimate authority had devolved upon him by chance; ignorant of the first elements of the business of war, he ought to have sought and relied upon the best military advice. He was governed by two Secretaries of War of his own choice, both scarcely less ignorant and much less patriotic than himself. Even the madness of faction would not have intentionally charged Mr. Lincoln with the conduct of a great war; Mr. Davis had been chosen expressly as the fittest man for such a charge. Mr. Davis never made an indefensible, and but thrice what seems to have been an injudicious appointment.<sup>3</sup> Of Mr. Lincoln's selections for high

<sup>2</sup> The tone of his defence betrays strong personal prejudice, and though Mr. Davis, unlike Lincoln, yielded his own bias to public feeling and private counsel, all I have read and heard satisfies me that the above charge was substantially true.

<sup>3</sup> Those of Bragg, Pemberton and Hood.

military command, three were excellent, but of these only one was really voluntary;<sup>4</sup> most were influenced, as his fiercest champion is forced indirectly to confess, by political—i.e. culpable, if not corrupt—motives; and for several no defence, hardly an excuse, can well be preferred. His naval appointments, with which politics could not interfere, were generally good; the difference should probably be ascribed to the different characters of Welles and Stanton.

The second Confederate line had been broken at Shiloh. Its abandonment was completed by the evacuation of Corinth, and the army fell back on the third, running from Vicksburg through Jackson, the capital of Mississippi, to Meridian and Selma in Alabama. The Confederates still held, however, the extreme right of the second line, the railway junction of Chattanooga, which Buell endeavoured in vain to attack. A gang of twenty spies sent in disguise to destroy the railway between Chattanooga and Atlanta were captured; but the Confederate Government, with a lenity which distinguished it to the last, only hanged eight of the party. At this moment Halleck was withdrawn to advise the Government at Washington—as events indicated, in order that M'Clellan's disgrace might not be the apparent act of two mere civilians. Seldom indeed has a choice so bad, alike in motive and in judgment, been so richly rewarded. Halleck had given no proof of capacity, and the interference of the War Office, after his appointment, with the Virginian campaigns was more persistent and not less disastrous than before. But the issue was to be determined on the Mississippi, not on the Potomac, and the disasters of Fredericksburg and Chancellorsville were amply compensated by the removal of Halleck from the scene of decisive operations, devolving the command on the ablest officer, with one or two exceptions,<sup>5</sup> in the Federal army. The Government did its best to thwart fortune; but a series

<sup>4</sup> Those of M'Clellan to organise the army, and of Grant and Sherman in 1864. As to Halleck, see (e.g.) Scribner's *Campaigns*, vol. iv. (Army under Pope), p. 147.

<sup>5</sup> I incline to rate M'Clellan, Sherman and perhaps Meade higher than Grant

of chances—the death of one competitor, the self-exposure of another, his own steadfast patience and the development of events—secured to Grant a larger command, a more important field and a wider discretion than was permitted to any of his rivals. Ill-treatment and mortification had nearly led to his retirement just before Halleck's removal; and if Sherman's remonstrances materially influenced his decision, the North and its Government were indebted to the latter for a greater service than the famous 'march to the sea.'

The whole of Kentucky, two-thirds of Tennessee, part of Mississippi, and the northern frontier of Alabama were now in the hands of the invaders. But the 'terrible energy'<sup>6</sup> of the Confederate Government, seconded by the perversity of its opponent, turned the course of events. The conscription had strengthened both the great armies of the South till, though enormously outnumbered at every point, their just reliance on the superior quality of their men enabled the commanders to take the offensive. At the beginning of July Grant sat still in Southern Tennessee, having pushed his advanced posts into Mississippi and Alabama, with more than 100,000 men; M'Clellan's 80,000 or 90,000 lay utterly crippled on the James; while their antagonists, unknown to them, were preparing to drive back the tide of war to the Potomac and the Ohio.

The delay of Halleck and the mistake of Grant permitted Van Dorn and Price to bring into close approximation, at Iuka to the south-east and Holly Springs to the south-west of Corinth, their respective forces, chiefly consisting of new Mississippian levies and troops from the Transriverine States. Rosecranz attacked and was worsted at Iuka. Van Dorn fell back to effect a junction with Price at Ripley, intermediate between Iuka and Holly Springs, and thence made a vigorous attack upon Corinth, which had been strongly fortified and was held by Rosecranz with more than 20,000 men. Grant's army was within a few hours' distance by railway, in over-

<sup>6</sup> Draper.

whelming numbers. The absurd representation of Rosecranz, that the Confederates outnumbered him two-fold, would cast grave reproach upon the Commander-in-chief. But the figures of Rosecranz and his compeers are in a multitude of individual instances refuted by the clear and careful evidence of subsequent Northern military writers, and seldom do they appear more absurdly false than when the former represented Price and Van Dorn as commanding 40,000 men. Grant would not have left Rosecranz to be thus outnumbered.<sup>7</sup> The real strength of the united Confederate armies did not, as Rosecranz has tacitly admitted while this page was in type, exceed 22,000. They attacked with equal numbers an enemy holding a fortress rather than an entrenched camp, with 60,000 men within supporting distance, most of them within less than twenty-four hours' journey. The extreme dissatisfaction expressed by Grant himself with the result shows that in his belief the available strength of Rosecranz was far superior to that of his antagonist.

On the morning of October 4, 1862, after a brief cannonade, Price attacked in column. That column advanced in the form of a wedge, swept as it pressed forward by a cross and enfilading fire at once of cannon and musketry.<sup>8</sup> Undismayed it came on, opened out to right and left, sweeping the enemy before it, carried one of the strong forts constructed by the Federals, and captured Rosecranz' own headquarters. No Northern, and hardly any European, soldiery ever attempted the like. Before a flank fire alone the hardy columns of the Czar dissolved in a few moments; nor were the Highlanders

<sup>7</sup> Davis, *Rise and Fall*. The military arithmetic of the Federal Generals involves their apologists in a hopeless dilemma. They had three-fold or four-fold numbers at command, an advantage increased by their power of choosing the point of attack, while the inferior numbers of the Confederates were necessarily dispersed to defend all parts open to invasion. If, then, the former were not the stronger at each critical place and time, their Government and chief commanders stand convicted of sheer imbecility. The evidence entirely clears them on this score. The Federals never lost a battle through numerical inferiority, and hardly ever conquered save in greatly superior force.

<sup>8</sup> This is Draper's admission—the extorted confession of a witness whose prejudice is bitterer than Macaulay's.


who thus crushed them on the Alma disposed to condemn them for their instant discomfiture. Military science assumes that no massed troops can possibly stand when exposed to a fire in front and flank. Missourians, Arkansans and Creoles, completely enveloped in a sheet of infantry fire, torn through and through by cannon shot, not merely stood fast, but advanced and prevailed. Their ranks were, not morally or metaphorically but actually, shattered to pieces; and when, after passing through this terrific ordeal, they found themselves caught between two fresh bodies of troops, and attacked in front and flank, they were crushed by sheer physical force.

The Confederate attacks were meant to be simultaneous. Van Dorn, delayed by the ground, erred in attacking after Price had been repulsed. His Texans and Mississippians, however, advanced in column, their line of march taking them right under the guns of two forts. With an audacity that extorted the warm admiration of their enemies, they advanced till within fifty yards of one fort, which poured into them, when almost under the muzzles of its guns, a murderous shower of grape and canister. Even this could not shake them; they pushed on, till the Federals, who had lain sheltered and steady until the charge had almost reached them, poured in a musketry fire so destructive that the assailants reeled and fell back. In that encounter one Ohio regiment lost one half its number killed and wounded. The Confederates rallied, advanced up to the edge of the ditch under the flank fire of the forts; but again the terrific hail of musketry at close quarters shattered their ranks, and two fresh regiments springing up and at them chased their broken fragments back to the woods.

The magnificent heroism of the attack throws lustre on the defence, and nothing but the misrepresentations and vaunts of Rosecranz could have cast ridicule on his victory. His arithmetical statements were not merely absurd but inconsistent. He claimed to have pursued forty miles in force with infantry and sixty with cavalry, yet he confessed that the enemy had carried off at least 230 prisoners. He

estimated the Confederate wounded at 5,000, and pretended that the officers captured by himself represented sixty-nine regiments and thirteen batteries, though he took only 2,000 prisoners! Even if all these were disabled—and, whatever their number, this is eminently probable—the ‘routed’ Confederates in a ‘chase of sixty miles’ must have carried off more than half their wounded! Whatever the truth might be, the lieutenant’s report justified his superior’s censure. Had his victory been half as complete as the former represented it, he ought, as Grant told him, to have captured or destroyed the whole Confederate infantry, even if their cavalry had escaped. In truth the victory had been very narrowly won; and terrible as was the slaughter of the assailants, and small in comparison that of the sheltered defenders, the latter had been appalled by the desperate heroism from which their fortifications had barely saved them, and were naturally careful not to press too closely the retreat of the wounded lion.

The victory was so far real that Grant seized Holly Springs and made it a grand depôt and hospital, in which he stored enormous supplies of every kind. Nearly 2,000 men were left to garrison it, while Grant advanced towards Vicksburg. At the same time Sherman, with four divisions organised at Memphis, embarked on board river transports; convoyed by the gunboat flotilla under the command of Commodore Porter, and intending to co-operate with Grant in the reduction of the great Mississippian fortress. It was not till the middle of December 1862 that the invading army, the greater part of which had remained inactive since Shiloh, and the whole for nearly five months, ventured to move forward. By this time Pemberton had been sent to take command of the Confederate forces—i.e. of the remnants of Price’s and Van Dorn’s command and other chiefly local levies (their main army being engaged elsewhere)—to check the enemy’s advance. The number of the invaders was, of course, utterly overwhelming, and no direct encounter in the open field was possible. But the combined attack of two armies, each numbering at least 30,000 men, with as many more in



reserve, was disconcerted by a small force of Confederate cavalry. Van Dorn, imitating the exploits of Stuart, passed round Grant's army and fell upon Holly Springs. The place was captured, and stores to the amount of more than two million dollars destroyed.\*

This ruin of the base on which one wing relied threw the whole invasion out of gear. Grant at once fell back, but without warning Sherman. The latter pressed on, landed among the innumerable bayous, swamps and streams north of Vicksburg, and fell on some Confederate entrenchments on the Chickasaw Bayou—mere fieldworks unconnected with the main defences of the city. Sherman attacked with vigour, knowing that the enemy's forces in his immediate neighbourhood were very scanty, as the main body must be detained about Vicksburg to confront Grant. Bragg was at a distance, utterly beyond communication, and the numbers that could be spared to defend these outworks must be exceedingly limited. Nevertheless the assailants were beaten off with the loss of more than 1,000 killed and wounded and 750 prisoners, a confessed total of nearly 2,000. A few Confederate battalions had defeated and thrown back, with inconsiderable loss to themselves, a great Federal army. But Sherman could not acquiesce, without another attempt to redeem his honour, in so mortifying a defeat. At the critical moment he was superseded by M'Clermand, who brought the announcement of Grant's retreat from Vicksburg. Sherman with considerable difficulty extorted permission to attack a fort called Arkansas Post, some forty miles up the Arkansas River, on the west bank of the Mississippi, from which the Confederates had repeatedly threatened the river communications of the invaders, and had recently intercepted a large convoy of ammunition despatched from Memphis to Sherman's army. Supported by Porter's gunboats, which easily silenced the artillery of the fort, and sweeping over its outworks, Sherman's 30,000 men overwhelmed a garrison of 5,000,

\* Draper, vol. ii. p. 320.



losing, however, 1,000 killed and wounded. The expedition then retreated, and joined Grant at Milliken's Bend.

From that time till July 4, 1863, Grant was in immediate command of the whole army, to which the Confederate commanders could not oppose more than one half its number, and even these imperfectly armed and ill-provided. The latter were charged, moreover, not only with the defence of Vicksburg, the last great river fortress held by the Confederates, but with the protection of Mississippi and Alabama.

## CHAPTER XII.


## LEE'S AUTUMN CAMPAIGN, 1862.

The Iron Shroud—The Southern Offensive—Plan and Purpose—Pope's Appointment, Vaunts, and Ignominious Defeat—M'Clellan Recalled—Lee enters Maryland—Capture of Harper's Ferry—Antietam—Quality *versus* Numbers—Panic inspired in the North—M'Clellan's Mortal Sin—Close of the Campaign.

IN July 1862 the real character of the struggle, the tremendous geographical and strategical disadvantages against which the Confederacy had to contend, as well as its weakness in men, stores, arms and resources of every kind, had become clearly apparent. The South was, as aforesaid, beleaguered by overwhelming numbers. Two great armies, indeed, were paralysed or inactive. The wreck of the Army of the Potomac cowered under the shelter of its gunboats on the James. Grant had penetrated to the heart of the Confederacy, but the ground in his rear was imperfectly secured, and a vigorous attack on his communications might force him to retreat. At least, he did not seem inclined for an active and immediate advance. But the Mississippi, save in so far as Vicksburg still closed the passage, was in the hands of the enemy. They held New Orleans and ravaged Louisiana, and could at any moment throw a force of any amount northward, southward or eastward, from a base absolutely secure. Banks might be succeeded by a soldier, who, leaving a small garrison to hold down the people of New Orleans, would ravage Southern Mississippi and Western Alabama, or, in a more soldierly and practical spirit, push forward along the coast to take Mobile in reverse. Pensacola afforded another, if not equally advantageous, base for the invasion of Eastern Alabama and Georgia. The Atlantic ports of the South were

sealed ; the Federal navy held the sea, and had seized three or four points upon the coast, from any of which an invading army, supplied and reinforced from Washington or New York, might march westward at its own will. Of the Gulf of Mexico, opening Texas, Mississippi, Alabama and Florida to a similar invasion from the sea, the enemy held undisputed possession. On the northern frontier, behind the Potomac and the Ohio, they were mustering men to recruit existing or create new armies, and could at pleasure assemble for defence or attack five times as many as the South could raise to meet all the countless demands upon her strength. The enemy could choose their point and there concentrate what must be an irresistible force, or they could prepare for a series of destructive raids. No part of the South was so safe that it could be left unguarded. No victory could do more than relieve her for a time at the points where the pressure was most heavily felt. Even if the invading hosts could be hurled back and deterred for the present from attempting to penetrate her vitals, they had only to close on the defending armies in overwhelming numbers, and to crush the Confederacy like the victim in Poe's horrible story of the Iron Shroud.

The only political hope lay in a defence which should exhaust not the strength but the patience and courage of the North, or provoke European intervention. The only military chance lay in an offensive which, carrying the war on to Northern soil, bringing home to the enemy the varying fortunes of war and the horrors of invasion, might revive the opposition practically quelled by the fierce intolerance of the Government majority, and retaliate in part the terrors, if not the ruthless cruelties, which made the life of Southern families an existence of incessant alarm and privation, and frequently of intense suffering. A vigorous 'offensive' was concerted by the Government at Richmond with the commanders of the armies, now reinforced by the conscription which had swept the whole manhood of the South into the camp. Bragg was to move north through Tennessee and Kentucky, and, if possible, to threaten Cincinnati. The Army




of Northern Virginia was at the same time to do all that was possible with a superior though a conquered enemy on its flank, a great fortress guarded by an impassable river and by huge levies of new troops in its front. It would be a great triumph to penetrate into the eastern counties of Maryland and to raise her people, whose pride had been stung to the quick by a surprise as treacherous as that by which Napoleon momentarily subjugated Spain, and whose secessionist inclinations had been vindicated, intensified and embittered by finding themselves helplessly ground under the heel of a military despotism, administered by the worst of Mr. Lincoln's creatures. Could Lee reach Baltimore, the whole of the State—that narrow western strip excepted which was Pennsylvanian by political bias as by geographical character—would be in arms, Washington would be taken in reverse; the politicians would seek refuge on board the ships that crowded the river, the huge garrison must either disperse in similar fashion, fight *à outrance*, or surrender at discretion. So complete a success was hardly within the present purview of responsible soldiers and statesmen; but it was notorious how easily Washington was thrown into panic, and how certainly the approach of retribution—the transfer of hostilities to their own soil—threatening the mine-owners and manufacturers, the prosperous farmers and pacific capitalists of Pennsylvania—would reduce the factitious popularity of the war and the War Government to its natural proportions.

Not that the North was not in earnest, that the many grudged any sacrifice yet demanded by a war for the Union, or that Abolitionists flinched from the cost of a crusade against slavery; but the truth stood as Lord Russell had stated it. The North was fighting for empire, the South for independence; the one for national pride, for vengeance, for great political objects, for rights or pretensions which it would be a bitter mortification to forego; the other for hearth and home, for property and freedom, for the self-government enjoyed for ages, and which in case of defeat must be exchanged for insult, degradation and bondage; the one for

political and moral luxuries, the other for all that made life worth living. The North therefore could and would yield when wearied by failure, or convinced that, even were her object attained, it was not worth the cost. The South would and must fight, not while hope remained, but while she had strength to stand. The braver and more patriotic spirits of the North would have given their lives for victory; the prayer of the Confederate soldier was that he might not survive defeat. The capture of Memphis and New Orleans no wise affected the determination of Tennessee and Louisiana; the occupation of Baltimore or Philadelphia would have called forth a cry for peace throughout the North; the fall of Cincinnati or Washington would have rendered that cry irresistible if not unanimous.

From a military point of view the venture was hazardous, and recommended chiefly by the wealth of the North and the exhaustion of the Southern border States. A foray by half-starved troops was sure, if even temporarily successful, to bring in abundance of desperately needed supplies. To encourage the soldiery by an offensive movement, to spoil the spoiler, to humble the invader, was worth a great risk; and to renounce the offensive was almost to renounce hope. Confederate leaders had special dangers to run as well as a tremendous obstacle to overcome. The Army of Tennessee must have a formidable and, on the whole, victorious enemy in its rear, hoping at best that the terror of the North-West and the weakness of the Federal Government would compel Grant to relax his hold and follow his adversary. The Army of Northern Virginia must leave the slender entrenchments of Richmond manned by one-fifth the strength of the hostile force which still lay within a few miles. Both Grant and M'Clellan were exempt from those imperative considerations which commonly compel invaders so far advanced to fall back upon their ultimate base when an enemy threatens it. Their communications by the sea and the Mississippi were unassailable. Lee and Bragg had each, moreover, a dangerous adversary in his front. Both on the Ohio and the Potomac



the North could concentrate superior forces without recalling a man from M'Clellan or Grant. The Confederate commanders had, therefore, to rely on the superior quality of their troops, the discipline and devotion of the men, their own promptitude and decision, and the interference of the panic-stricken Government at Washington.

The first measure of Halleck and Stanton was to send for General Pope, a favourite of the former, and to place him in command of all the troops that could be gathered from the Valley, from Western Virginia and from Maryland, as well as the large force that official fears had detained around the Capitol when so sorely needed elsewhere. Pope's army was intended primarily for the defence of Washington, and therefore once more tethered to a line of operations which must cover that point, viz. the line between Alexandria and Centreville. Pope hastened to demonstrate his gratitude, his claim to further favours and his fitness for command, by a series of orders which delighted the politicians and appalled the soldiers who read them. He had heard much of lines of communication and lines of retreat; the only line about which he as a General would trouble himself was—that with which such Generals seldom find themselves concerned—the line of his enemy's retreat. M'Clellan had waged war like a civilised soldier and Christian gentleman, war upon the enemy's armies and defences. Pope's first operation was directed against non-combatants. If the brunt fell upon women and children, it was not his fault that the men of North-Eastern Virginia were in the Confederate army. He ordered his troops to subsist on the country, plundering a people who had necessarily been reduced to the verge of starvation by the inevitable sufferings of the civil population of a seat of war. If a soldier chose to suppose himself to have been fired upon from a house, that house was to be burned. Virginians suspected of loyalty to their State must either take the oath of allegiance to the invading Government and give security for good conduct, or be sent South, under penalty of death if they should return. Lee of course remonstrated in due form, and gave the Federal

Government occasion to show itself as heedful of the courtesies as of the usages of civilised war.<sup>1</sup> The Confederate Government very properly warned the offender that the execution of his orders would lead to summary reprisals.

On August 4 President Lincoln issued a call for 300,000 men, in addition to the enormous forces already at his disposal. The patriotism of the North was so far cooled that neither bounty, pay, nor public spirit could be any longer relied on; and the new enlistments were to be provided by conscription—not like those of the South, by a levy *en masse* for self-defence, but by those familiar methods which practically exempt the well-to-do and select the victims from the lower classes by chance or favour. Pope encouraged his army by a boastful proclamation, in which he recounted his own achievements and implicitly disparaged those of his predecessor. He came from the West, where he had seen only the backs of the enemy; and, he might have added, very little of those. Those who had heard of the Western campaigns were forced to infer that Pope had never approached the battle-field save when victory had been finally achieved. He discarded contemptuously the idea of taking up and holding strong positions—still less, of course, could he hope to hold weak ones. He cared nothing for bases of supply—which may account in some measure for the disasters and sufferings of his troops. These boasts and sneers were doubtless intended to gratify the official hatred of M'Clellan; but they could hardly have proceeded from a sound mind in stable equilibrium. Pope's self-esteem and self-confidence, always extravagant, were excited beyond control by his sudden elevation. He

<sup>1</sup> Lee's formal communication was returned without reply, but with an offensive comment. The incident was characteristic of Mr. Lincoln and his entourage in their intercourse with 'rebels,' and is important only as fixing on them full responsibility for Pope's acts and threats. There is an amusing unconsciousness of the relative character and position of the two men—to say nothing of their critic—in the language of the historian who boasts of the 'rebuke' administered by a Halleck to a Lee; but Dr. Draper has the prudence to suppress the letter of the Confederate General. It is needless to say that that letter was in every respect that of a highbred gentleman and soldier. As to Pope's orders see Scribner's *Campaigns*, vol. iv., Appendix A.

probably fancied that he had really achieved something entitling him to look down on Lee and criticise M'Clellan, or he could hardly have failed to anticipate the effect of his vaunts and taunts upon troops who knew him only by his Western reputation. They would dim the lustre of a really brilliant success; come such failure as any other soldier might retrieve, they would damn him to unsparing sarcasm, boundless contempt and never-ending ridicule, render his name a laughingstock and a mockery while the story of the war should be remembered.

The best estimate of the numerical strength of the combatants will be found in a very full, and on the whole, very candid appendix to Mr. Ropes's history of the army under Pope.<sup>2</sup> The whole force at Lee's command is calculated by competent Northern writers at 54,000 men. The best Southern authorities, in this instance peculiarly trustworthy, make it 47,000 or 49,000. We may be sure that it did not much exceed 50,000. Pope systematically underrated his strength, and exaggerated his earlier losses. It is admitted that from first to last, including the reinforcements brought up from various quarters, of which some 20,000 were taken from the Army of the Potomac, he obtained at least 81,000 men, the great majority of whom were well-drilled soldiers, perhaps half of them veterans who had seen hard if not brilliant service. The allowances made for straggling, deserting and other causes diminishing the strength of the different corps certainly seem excessive; and it may be assumed that Pope's total force from first to last amounted to 85,000 men.

He was opposed, however, by the best General and several of the best officers of the South. General R. E. Lee was the foremost citizen of Virginia, connected by marriage with the family of Washington, and representing in his own right one of the oldest and most distinguished families of the Virginian aristocracy. He had served with great distinction in the Mexican War, had been Scott's Chief of the Staff, and contributed as much as any subordinate to the successful advance

<sup>2</sup> *Campaigns of the Civil War*, vol. iv. Appendix E.



and signal victories of his chief. Longstreet, his second in command, was a South Carolinian ; had, like Lee, been wounded at Chapultepec, and was, with a single exception, the ablest, surest, and most perfectly trustworthy of the many admirable corps commanders or lieutenant-generals of the South. He had charge of the First Corps (at this time always much the largest) of the Army of Northern Virginia. The Second, varying in number from 18,000 to 22,000 men, was commanded by the yet more famous Stonewall Jackson, of Virginia. Some four years younger than Longstreet and thirteen years junior to Lee, he had acquired a high reputation in the Mexican War ; but till he gained his glorious sobriquet at Manassas—a sobriquet which testified to the discipline and splendid steadiness of his brigade as much as to his own personal merits—had been known rather by his eccentricities than by his professional qualifications. By his pupils of the Military College of Lexington, Va., he was as much laughed at behind his back as feared and respected when present. He was a soldier of the old Puritan stamp—the men who keep their powder dry *because* they trust in God—distinguished above all by the absolute confidence and passionate devotion of his men, by their desperate daring, rapidity of movement, dauntless valour and patient endurance. Stuart, Ewell, and A. P. Hill had already acquired a fame which constantly rose with each campaign or battle, skirmish or fray, and was only second to that of their immediate superiors. Trimble, Whiting, Evans, Pickett and Roger A. Pryor, the last a civilian of family and fortune, Kemper of the artillery, Fitzhugh Lee, W. H. Lee and Wade Hampton of the cavalry, all proved themselves first-rate soldiers and thoroughly competent commanders. Turner Ashby, the chief of Jackson's cavalry, and Pelham, who commanded his horse-artillery, had achieved a brilliant reputation before their early death. In Pope's army, Reynolds and Kearney, Sumner and Franklin, Heintzelman, and Porter were, if not equal, yet not unworthy antagonists of the Virginian heroes. At every stage of the campaign Pope's numbers were largely superior ; at no time did

he command fewer than 60,000 men, to whom Lee could oppose on different occasions from 20,000 or 25,000 to 50,000.

When Pope first took command his forces were somewhat scattered; their right resting on the Potomac, their left practically in the air. Before fighting began, they were drawn together upon the left bank of the Rappahannock, which flows south-eastwards from the eastern slope of the Blue Ridge towards the Chesapeake, approaching the Potomac where the course of the latter turns from south to east at Acquia Creek. At this point the Rappahannock, swollen by the waters of the Rapidan, formed a wide and, save for a single railway bridge, an impassable obstacle in front of Fredericksburg.

M'Clellan, with some 86,000 men, a quarter of whom were afterwards dispatched to support Pope, still lay at Harrison's Landing, detaining the larger part of Lee's army. Jackson, with some 18,000 men, was thrown forward to deal with Pope, and secure the upper crossings of the Rappahannock and its tributaries. Pope, who had at least 35,000 immediately at his disposal, contrived, by his own account, to be inferior at the point of actual collision to an enemy who had but half his strength. However this may be, it is certain that he opposed to Stonewall Jackson the most incapable corps commander in his army, who had already received from the hand of the same antagonist the brand of signal ill-luck—the ill-luck of an elderly citizen snatched from his desk, pitched into the saddle and to the head of an army before he had learnt to handle a company on parade, and confronted by the irony of Fate with a really great soldier. It mattered not how many of Banks's corps were wanting. His own report suggests, to one familiar with such narratives, that he was, or thought himself, at first stronger than his adversary. A subsequent writer—not seeing the disgrace he throws on Pope thereby—allows his lieutenant only 8,000 men. Eight or twelve or twenty, it mattered not; Jackson disposed as he would of 'Jackson's Commissary.' The only point distinctly apparent even in Federal accounts is that the battle of Cedar Mountain on August 9, 1862, resulted in a Federal disaster.

M'Clellan had received orders to withdraw his troops from Harrison's Landing to Acquia Creek, some fifty miles below Washington. It was Lee's strategic object to strike, and if possible paralyse, Pope before he should be reinforced from the Army of the Potomac. As soon as the nature of M'Clellan's movement was clearly disclosed, Jackson was pushed up the Rappahannock; and Early was sent with the advance guard of his force across the river on the 22nd. Pope is said to have planned a vigorous and judicious if not adventurous movement—to cross the river and fall upon the right wing of Lee's army. On the 23rd the river rose and cut that army's communications in two. The Confederate right was thus secured; but that part of the left which had crossed was absolutely at Pope's mercy.<sup>3</sup> He could have thrown 30,000 or 40,000 men upon less than one-fifth of that number; but, disappointed by chance of the advantage on which he had counted, he neglected that which the same chance had placed within his reach. Stuart, passing round his flank, pounced on his headquarters at Catlett's Station, plundered them, and captured Pope's uniform coat and personal baggage, besides a quantity of more substantial spoils. Jackson crossed the upper branches of the Rappahannock, and, pressing northward, turned the Federal army at Thoroughfare Gap, and fell on Manassas Junction, where Pope had gathered enormous stores of every kind. Jackson seized a battery of eight guns complete with horses and equipments, ten locomotives, seven trains, and a great quantity of provisions, sufficient to keep his half-starved troops in luxury for some days to come.<sup>4</sup>

Aware that he confronted alone the whole of Pope's army—for Longstreet was still far behind him on the Rappahannock—Jackson fell back in the direction of Thoroughfare Gap.

<sup>3</sup> So Early thought. A sharp interchange of messages is said to have ended in the retort: 'Tell General Jackson old Jubal can die, if that's what he wants; but I'll be damned if this position *can* be held.'

<sup>4</sup> Confederate soldiers mention with especial delight the 'real coffee' they tasted here for the first time during a long campaign; and the 'square meals' which, even during Pope's hasty retreat, almost consoled an unlucky comrade for his captivity.

M'Dowell, on Pope's left, was endeavouring on his own account to delay or arrest the march of Longstreet and prevent the junction with Jackson, when he was ignorantly or perversely recalled by his chief. Concentrating the rest of his force, Pope pressed forward in pursuit of Jackson, not troubling himself to learn from M'Dowell where Longstreet was ; and part of the Federal army encountered Ewell in the battle of Gainesville on the 28th. Pope claims up to this time to have lost 20,000 men, and that without a single pitched battle or serious encounter except those of Cedar Mountain and Gainesville.<sup>5</sup> In the latter the Federals were worsted, and fell back on Grovetown, a few miles to the north-east, where they were again thoroughly beaten with a loss of at least 1,000 men. They were still confronted by Jackson alone, but Longstreet was approaching, and arrived in time to decide the next day's battle. Jackson had stood and fought against overwhelming numbers simply to give time for Longstreet's arrival. On August 30, he took up a strong position in sight of and including no small portion of the ground which had witnessed the first great battle of the war. Here he held his own until Longstreet's forces successively arrived on the field, and, after a sanguinary battle, the Federal army was utterly defeated.


Pope blundered, boasted, manipulated facts with his usual audacity, and threw the whole blame upon M'Dowell and Porter, claiming a victory while apologising for a disaster. But his army, half-starved through his mismanagement, and demoralised even more by distrust and contempt of their chief than by defeat and disaster, was in no condition to stand another battle. On the 31st Jackson again pushed on alone, separating himself from Longstreet with a daring which conscious superiority and complete victory alone could justify. Pope was again worsted, and on September 2, his routed army was chased into the entrenchments of Washington, having lost 30,000 men, with guns and colours in proportion, and

<sup>5</sup> That is, Jackson's corps had destroyed or disabled more than their own number of a vastly superior army. The nature of the battles puts this out of the question. Pope was speaking with his usual accuracy.

quantities of small-arms and military stores simply incalculable. The Virginian infantry and artillery, which had at first been armed with antiquated cannon of various calibre, converted muskets, and a few obsolete rifles, had constantly supplied themselves at the enemy's expense, and were now provided with excellent weapons and first-rate guns, chiefly of European manufacture, captured in the field.

The panic in Washington and throughout the North-East was intense and general. Lincoln and Halleck had still at hand twice as many regular troops as Lee was able to muster after the Southern conscription had taken full effect, and all available reinforcements had been brought up by the unflagging energy of the Government at Richmond. The Army of Northern Virginia could never bring 75,000 men into the field; while behind the 150,000 men within Stanton's call were at least as many more, inferior in nothing except physique, morale and hardihood to the recruits who, after the losses of ten days' hard fighting, constituted one half of the Confederate army. But the fears of the Federal authorities doubled the enemy's numbers; and the boastful confidence which, in April, had promised the capture of Richmond within ninety days, and in July had relied on the soldiery of Pope to annihilate the conquerors of M'Clellan, ceased for a while to affect their calculations. Too staunch a partisan to be disgraced, Pope was dismissed to a safe command 'against the Indians' in the far North-West.

The Government, in the extremity and sincerity of their dread, gave reluctant testimony to their own comparative estimate of the men they had severally disparaged and exalted. M'Clellan had been consistently thwarted, baffled, interfered with, insulted; he knew that his dismissal was only postponed till some shadow of success ascribable to the favourite of the politicians should give the President courage to degrade the favourite of the soldiers. His persecutors now appealed to him to save the Union and redeem their own shattered credit. No other General could organise an effective army out of the demoralised relics of the armies of the Peninsula and of



Washington; no other inspire them with courage to meet the soldiers of Lee. It was M'Clellan's duty to save his country; it was his right to ruin the men who had sacrificed the country in their desire to ruin him. But in such an extremity he disdained to make terms, or even to exact guarantees. He might have enforced the dismissal of Halleck and Stanton; he consented to serve under these mortal enemies. He failed even to extort the release of Stone, who had been imprisoned by the malignity of the Secretary at War ever since the disaster of Bull's Bluff; or to rescue M'Dowell and Porter, presently picked out as the scapegoats of Pope's incapacity. Notorious as was Pope's recklessness of truth, two of the best officers in the army were deliberately sacrificed to throw a thin screen over his shame. To Porter, M'Clellan's friendship was even more fatal than Pope's enmity.

There was no time to lose. The Army of Northern Virginia was moving up the Potomac, threatening to turn Harper's Ferry and enter Maryland. At the beginning of September Lee seized the railroad at Point of Rocks, cut off the Federal forces which held the famous arsenal, crossed the river, occupied Frederick, and sent his cavalry to seize Chambersburg in Pennsylvania. The Pennsylvanians were panic-stricken. They knew something of the doings of their own army. By the established law and universal practice of reprisal, the State should have been wasted with fire and sword as far as the Confederate arms could reach. Grant's wholesale plunder of Mississippi, Sherman's license to burn and plunder wherever 'insult' or 'discourtesy' could be alleged,<sup>6</sup> Pope's brutalities, if not Butler's unspeak-

<sup>6</sup> Sherman's *Memoirs* are not so much a narrative as an apology. He wrote when he had learnt what soldiers and gentlemen throughout the world thought of the acts in which he had exulted at the time; and he does his utmost to evade, slur over, and deny particular charges. But the contemporary orders he cites—though selected to suit his purpose—put it beyond doubt that he deliberately waged war against the Southern people as much as against the Southern armies. Written with the charges of systematic incendiarism, pillage, and devastation blackening his name, the utter absence of effective denial is a general confession. Reading between the lines of his apology, with contemporary evidence from his victims, contemporary boasts

able atrocities, had laid down the law to which Pennsylvania was now justly subject. But in Pennsylvania, as in Maryland, the Confederates observed the strictest discipline; no property was seized except by order, and all private property taken was paid for as in a friendly country.

The Army of Northern Virginia was scarcely 70,000 men; in Maryland and Pennsylvania Lee had not 50,000. The western counties of the former State, forming a narrow strip between Pennsylvania and the Potomac, to a great extent Northern in feeling and character, received the Confederate army as friends, but furnished only a few hundred recruits. Nor could Lee push forward towards Annapolis and Baltimore, and occupy that eastern part of the State whose whole manhood, as soon as released from the reign of terror maintained by Federal bayonets, would have flocked to his standard, till Jackson's corps should rejoin him. It was not till September 11 that the latter had succeeded in investing Harper's Ferry. It was only on the 6th or 7th that Lee himself entered Frederick; and on the latter day M'Clellan with 100,000 men, organised in six corps, commanded by Porter, Burnside, Hooker, Reynolds, Franklin, and Sumner, and a powerful train of artillery, was ready to march from Washington. Lee fell back behind the range called South Mountain, near Boonsboro', leaving General

from his officers, full in my recollection, I found one single specific accusation out of hundreds formally challenged. I refer to the burning of Columbia; and in that case the countercharge of which Sherman boasts at once shows that he cared more for its efficacy than for its truth. General Sherman has recorded his own declaration that no soldier who alleged discourteous treatment or hostile demonstrations on the part of his victims should be punished for robbery and incendiarism (*Memoirs*, i. 277-78; ii. p. 211 and chap. 20, *passim*). But *on ne cherche pas à prouver la lumière*. It is notorious that Sherman's 'march to the sea' was followed by a countless swarm of 'bummers'—half-thief, half-soldier. It is notorious that they pillaged and burnt every house worth plundering within their reach. How many of these scoundrels did Sherman hang? How many did he punish in any way? One hundred, or one score, or one dozen out of thousands? Before Sherman's book appeared, one of his principal staff officers had boasted that his march through South Carolina was a track of devastation, pillage and incendiarism—if I rightly remember—forty miles wide. Nor does Sherman venture to say that he took measures to suppress plunder or arson or outrage, or that he ever punished the 'bummers.'

D. H. Hill with a rearguard to keep the enemy in check. On the 14th the Federal advance approached Hill's position, and threw upon him two corps outnumbering him by seven to two. At such odds Hill was compelled to fall back, but lost only a few prisoners, and speedily rallied upon a portion of Hood's division. Lee's main body took up a position at Sharpsburg, on the west bank of the Antietam creek or stream, with the Potomac in his rear, and his right in communication with the forces left on its southern bank at Harper's Ferry, the river here turning almost at right angles from south to east. On the evening of the 15th, Mills, who commanded at Harper's Ferry, had been driven from the Maryland Heights into a position commanded by Jackson's batteries, and compelled to surrender. The garrison consisted of 11,000. These, with 73 guns, 13,000 small-arms, and invaluable stores, fell into the hands of the Confederates. Jackson at once pushed across the river with characteristic speed.

According to the best Federal account,<sup>7</sup> the odds were such as few European Generals would willingly confront, or be justified in confronting, on ordinary ground. The position of the Confederates was advantageous, inasmuch as they held a line of low hills with a small stream in front, but not such as materially to affect the chances or control the issue. Lee's total force when Jackson joined him did not reach 40,000; M'Clellan sets down his own numbers at over 87,000. The latter is of course a *minimum*; the Federals were five to two. General Lee, then, the best possible judge of the comparative quality of the two armies, thought that against such odds he had more than an equal chance of victory. He fought for an unmolested retreat with the captured arms and forage, and he won it. He fought probably for a chance of liberating Maryland and laying Southern Pennsylvania under contribution, and he lost it; but the general belief that he fought with such a hope shows that the

<sup>7</sup> Scribner's *Campaigns of the Civil War*, v. The writer's object is to show that the Confederates were not, according to a current boast, one to three. Since this was written, it has been confirmed by Longstreet himself. See next note.



total defeat of the Federal army was reasonably probable. He fought with a broad, deep and rapid river, passable only at two points, in his rear. Retreat in face of a victorious enemy would have been highly dangerous and difficult; a confused and disordered retreat, such as follows even a partial defeat, impossible. He must have considered, then, that complete victory was quite within reach of hope—‘upon the cards’; that he might reasonably reckon on the decisive repulse of the enemy; that he would in all probability hold his own, and that there was no serious risk of even a partial disaster. That is, he virtually counted each Confederate as worth two Northern soldiers; the two armies practically accepted his estimate, and the event completely verified it. This is, I conceive, a far greater superiority of soldierly quality—of military morale—than any European people seriously claims over a recognised rival. *Corps d’élite* apart, has any State 40,000 soldiers with whom her best General would *choose* to hold a low wooded ridge against 80,000 French, Germans, Italians, Turks, or Russians? Yet such was Lee’s election at Antietam; and such, looking to numbers and results, seems the comparative value of Northern and Southern soldiers upon the whole throughout the war.

Hooker, a factious subordinate, too prone to depreciate others and extol his own feats, an incompetent General-in-chief, but whose nickname of ‘Fighting Joe’ bears witness to his popular fame as a dauntless and even reckless leader, led the attack on the left with a view to turn the Confederate flank. M’Clellan could have spared a corps to outflank the latter and yet outnumber his enemy along the whole line. By a series of attacks, feigned or real, he could have prevented Lee from strengthening or extending the threatened wing. The Confederate position, concealing the rapid transfer of troops from wing to wing, the depletion of the centre, the employment of the same brigades to reinforce one threatened point after another, together with his original and obstinate exaggeration of their numbers, blinded M’Clellan to his advantage. On the other hand, Lee detected, with his marvellous strategic

intuition, the tactics of his adversary. He saw that M'Clellan intended to withhold his centre, and did not hesitate to reduce his own to the utmost in order to sustain his wings against the successive assaults he anticipated.

On the 16th Hooker crossed the Antietam beyond the range of the Confederate artillery, and, encountering only skirmishers, pushed forward till nightfall closed the contest. Had M'Clellan inferred, as Lee in like case might, that Longstreet was alone, and pressed him energetically and resolutely, Lee could hardly have held his ground till Jackson's arrival. But by the morning of the 17th a considerable part of Jackson's force was in position, and the rest came up during the battle. Hooker was driven back. Sumner's and Mansfield's corps came up to his support, and with some 45,000 men drove back to their original ground antagonists who had scarcely half that number. Mansfield was killed, Hooker wounded and carried from the field. Not content with the credit he had earned, Hooker claimed the whole honour of the day, asserting that had he been properly supported he would have driven Jackson into the Potomac—Jackson, who had beaten him with half the Federal army at his back. The truth is that his chance was lost before he discerned it, by his failure to detect the error of his chief and seize the ground beyond the Confederate left on the previous evening. Sumner, now commanding the three corps, held his own with threefold numbers against Jackson till noon, when a Confederate charge drove him back to his position of the night before. Thus far the Federals had sacrificed a large number of men without gaining a step; but when Franklin came up with a fourth corps, the Confederate left, physically worn out by the protracted conflict, was in turn repulsed.

After Hooker's attack had been repelled, M'Clellan flung Burnside with his whole corps upon the Confederate right. But Lee, while himself holding the centre with little more than the show of a line of battle,\* stripped to the uttermost to

\* Longstreet says that at one moment his staff had to serve the guns of a battery which, with a regiment whose cartridge pouches were emptied, was the only defence of the position.—*Century*, July 1886.

strengthen Jackson, had charged Longstreet in person with the defence of the wing which covered the road to the crossing of the Potomac at Shepherdstown. Burnside's corps made way so slowly, that it was two o'clock before his troops began to mount the hill slopes held by Longstreet with a scanty line of wearied troops. At this moment A. P. Hill brought up the last battalions from Harper's Ferry and completed the Confederate total. Longstreet led his men to the charge, and Burnside was driven in confusion back to the bridge by which he had crossed the Antietam. The four corps on the Federal right (opposed to Jackson) had no fight left in them, but M'Clellan, with Porter's corps, which had formed his reserve, barred the Confederate advance. Neither army was in a state to deliver, nor perhaps to endure, a vigorous onslaught. Lee's troops had been doing double or treble duty, as fresh Federal battalions were constantly hurled at an army, every man of which was already engaged. M'Clellan, fancying that the Confederates would presently take the offensive, felt it absolutely necessary to keep Porter's untouched corps in hand to meet them. This admission betrays his conviction how far the day had gone against him. He knew that all his own attacks had been repulsed; he knew that the five beaten corps were quite incapable of repelling an enemy who had been hotly engaged since early morning. He knew of nothing, except Porter's corps, to prevent their driving him from the field. A plainer confession of defeat was not to be expected from any Northern commander.

From a tactical standpoint, and regarding merely the events of the day, Antietam, or Sharpsburg, as the Confederates call it, must be counted as the last of the Southern victories constituting the campaign of the Fall of 1862, the final defeat of the combined Armies of the Potomac and of Washington. The Confederates, standing on the defensive two to five, had held their own, and only by their permission could the Federals bury their dead or remove their wounded. Lee remained in position as long as he chose, and retired at his leisure, carrying with him a mass of spoil, sending his

trains before him in perfect safety. The abandonment of 800 men, too badly wounded to be removed, is not to the point. At South Mountain and Antietam the Federal armies had lost at least 15,000 killed, wounded and prisoners. The Confederate return of 2,000 killed and 6,800 wounded at Antietam, with a few prisoners, and with the loss at South Mountain, does not bring up their total to 12,000.

Between the two Generals there can be no comparison. If Lee had not made the very most of his 38,000 men, he could not have won the day. If M'Clellan had made the most of 87,000—if his attacks had been simultaneous instead of successive—he had no business to lose it. So, if the Southerners had not fought incomparably better than their opponents, 40,000 men, coming up piecemeal, could not have beaten back 90,000; one corps could not have conquered four. As their historian naïvely confesses, the Yankees, men and officers, were too comfortable to *like* fighting. Chesney doubts whether on Lee's part the battle was not gratuitous. But—to avoid problems upon which Lee's judgment is to Chesney's as Chesney's to mine—this criticism overlooks the possibility of a decisive victory, and even the political necessity of making a vigorous effort for the relief of Maryland. In so far as that was the object of the invasion, it was a failure. But the expulsion of the Northern armies from Virginia, the capture of Harper's Ferry, the supplies drawn from the enemy's country, were worth no small sacrifice.

Above all, the moral effect of the campaign must not be overlooked. If Bragg had been equally successful it might well have terminated the war. The hope of the South lay not in forcing, but in wearying or frightening the enemy to let her go; the Maryland campaign did more in this direction than that of the Peninsula. The Confederate dead had not died in vain, though they had done no more than impress upon the North a dread from which it never recovered during the next two years. Thereafter every victory achieved by the defenders of Virginia spread panic throughout Pennsylvania and New York—sent up the price of gold by ten, twenty, or

even fifty per cent. ; and the approach of a Confederate force, however small, to the upper Potomac gave rise to a cry for peace, and a fever of alarm and discouragement, utterly unwarranted by the facts of the military situation or the comparative strength of the two Powers. These considerations fully justified the offensive of the autumn of 1862, as conceived by Mr. Davis and carried out to the utmost of their powers by Lee and Bragg.

M'Clellan's strategic deficiencies were venial ; his military virtues were unpardonable. He was an exception among the commanders of the Army of the Potomac, a scrupulous professional soldier, prepared to expend as to take life freely for any adequate advantage, but never to waste it for the selfish ends of party government or to satisfy a clamorous populace. Cautious and methodical by temperament, his natural bias had been confirmed by experience. No numbers could secure victory in the field. At odds of seven, six or five to three, a pitched battle between the Army of the Potomac and the Army of Northern Virginia was, according to the significant rule of the German war game, a cast of the dice, in which neither party could expect to throw double-sixes. While the Confederates could win battles, they could not reap the fruits of victory. The true use of Northern numbers and resources was illustrated in Sherman's later campaigns ; when—confronted by a better soldiery and a yet abler captain, who made up for numerical weakness by entrenching himself in strong positions—the Federal General employed one-half or two-thirds of his force to contain the enemy, while using the remainder to outflank or turn the position, and thus secure again and again, without a battle or in spite of defeat, all the strategic advantage of victory. But M'Clellan, by recognising the international character of the war, and acting upon the truth, had incurred the lasting resentment of the extreme faction then and long after dominant. He waged war against opposing armies, and not upon a defenceless population, nor, like Butler and Hunter, upon women and children within the bounds of invaded districts and captured cities ; still less, like

the Executive, upon the enemy's sick and wounded. What more stinging lesson could a soldier have inflicted on the civilian who had commenced the war by forbidding to the rebels, so far as he could, the aid of medical science and surgical art—by ordaining that bullets should be extracted and limbs amputated from bodies quivering with full consciousness of the impending and actual agony—had done his utmost to exclude chloroform, opium and quinine from Southern hospitals? Was it in human nature that the authors of that edict should pardon the professional soldier who spared the defenceless homes and protected the non-combatant people of Virginia?

On September 20 M'Clellan attempted a reconnaissance. The forces he threw across the river, taking it on the word of their Government that the Confederates were demoralised and in full retreat, ventured within reach of Jackson, and were cut to pieces. Evidently the Confederates were nowise discouraged by a loss twice as severe as that which, to M'Clellan's knowledge, had left five of his six corps in no state for a renewed encounter with a resolute foe. It would be madness to attack, in a chosen and perhaps entrenched position, recruited and reinforced, the General and the army who with half his strength had just repulsed him in the open field. This was little to learn by the sacrifice of a couple of brigades; the less, that the conviction could not be enforced upon the mind of Halleck, Stanton or the President. M'Clellan collected his army along the Potomac, endeavouring to restore their discipline and confidence, and waited till the reinforcements constantly coming in should give him an absolutely irresistible superiority.

Lee had drawn back to a defensive position; his right, commanded by Longstreet, was thrown back towards Winchester; his left, under Jackson, reached nearly to the Potomac. The Army of Northern Virginia was now regularly organised in two great infantry corps under these celebrated chiefs. The cavalry formed a separate division under Stuart, and patrolled the country with such diligence that it was

impossible for the enemy to advance unperceived. M'Clellan could cross at Harper's Ferry or Shepherdstown, but could not push further up the Valley without either exposing himself to a flank attack or fighting an offensive battle on ground chosen by his antagonist, with his back to the river, in a position where defeat might involve destruction. Time told against the Confederates, whose supplies had to be transported by carts and horses over country roads in very bad condition, for a distance of ninety miles. When the supplies drawn from Maryland and captured at Harper's Ferry were exhausted and the winter approached, Lee would be compelled to fall back to a position nearer Richmond.

M'Clellan, therefore, resisted steadily the importunities of Halleck and Stanton, importunities prompted less by military than by party considerations. The ruinous results of their interference, the disgraceful failure of their favourite General, the danger to which the Middle States had been exposed in consequence, from which M'Clellan had barely saved them, had deeply discredited the Government, and rendered the defeat of the Republican party at the impending elections alarmingly probable. To retrieve their own popularity and avoid a political disaster, the President and Cabinet were disposed to push the army upon perils from which its commander flinched, and upon adventures which, as was presently to be proved, were hazardous in the extreme.

## CHAPTER XIII.

## BRAGG'S NORTHWARD MARCH.

Movement in concert with Lee—Its Objects—Its Dangers—Inaction of Grant—Mismanagement of Buell—Invasion of Kentucky—Enormous Supplies obtained—Confederate Victories of Richmond, Perryville and Murfreesborough—Close of 1862.

THE months of August, September and October 1862 were about the brightest period in the history of the Confederacy. Its armies had taken the offensive with signal military and political results. Lee had not only worsted but defeated, demoralised and expelled from Northern Virginia a total force, including the recruits brought up from the North, of from 150,000 to 180,000 men. Six weeks had witnessed M'Clellan's retreat from the Peninsula, the rout and all but destruction of Pope, enormous loss of men and means inflicted on the enemy, the invasion of Maryland, and the battle which, claimed by some Northern historians as a victory, had completely paralysed an army of 100,000 men, with all the reinforcements it had since received, for nearly as long a period.

A simultaneous advance had been made, under less advantageous circumstances and with far less decisive results, in the West. Grant's army in Northern Mississippi was confronted by a very limited Confederate force under Van Dorn and Price. Their main army, under Bragg, had anticipated Buell's attempted surprise of Chattanooga and thrown him back towards Corinth. All the armies, roughly speaking, were ranged upon the railway from Corinth to Knoxville. Buell was in Northern Alabama, holding the railway line through Nashville and Bowling Green to Louisville. Bragg occupied Chattanooga. His total force, which the most reckless of



Northern writers only ventures to put at 50,000,<sup>1</sup> consisted of three corps : the right, at Knoxville, commanded by Kirby Smith, whose timely arrival and judicious use of the opportunity had mainly contributed to the Federal rout at Manassas ; the centre and left under Hardee and Polk, the former an experienced South Carolinian soldier, the latter a student of West Point and subsequently an officer of the United States Army, who had since taken orders, and was at the outbreak of the war Bishop of Tennessee.

Various Federal forces, all under Buell's control, were scattered over Tennessee and Kentucky. Bragg's route crossed the upper Tennessee and the Cumberland Mountains, parallel to which, some eighty miles further north, ran the upper course of the Cumberland River. The latter turns north-westward at Nashville, passes Fort Donelson and falls into the Ohio. In the whole country between the Cumberland and the Tennessee, there was no railroad west of the line from Louisville to Nashville and from Nashville to Chattanooga. The latter, till near its south-eastern extremity, was firmly held by the Federals ; so that Buell, though in actual distance a little further than Bragg from Louisville, the ultimate objective of the Confederates, was within four or five days of any point on that line which Bragg could reach in thrice as many fatiguing marches. Unless completely outgeneralled and kept in the dark, he should be able to anticipate and confront his antagonist with an unwearied army, enormously superior both in numbers and artillery. The Southern General, moreover, exposed his left flank to an enemy commanding a railroad parallel to his line of march, and thus enabled to fall perpendicularly on his route without the usual risks of 'forming front to a flank.' Yet Bragg without serious resistance reached Mumfordsville in Kentucky, about midway between Louisville and Nashville, seizing the railroad and capturing a considerable Federal force. Kirby Smith, moving parallel to his chief, came up at

<sup>1</sup> Draper, vol. ii. p. 353, though he afterwards, without explanation, brings up to 60,000.

Richmond, Kentucky, with a Federal army superior to his own, which was completely routed, losing 1,000 killed and wounded, 5,000 prisoners, nine guns, and 10,000 stand of arms. Buell was thrown back upon Louisville, where his forces were brought to a strength which must have much exceeded 100,000 men.<sup>2</sup>

In face of overwhelming numbers, Bragg was compelled to act rapidly and somewhat peremptorily. The attempted neutrality of Kentucky at the commencement of the war had shown the Southern leaning of the people; the invasion of the State, the conduct of the Federal soldiery and the license given to their partisans had rendered the Federal Government deeply and generally odious. But the flower of the youth of the better classes, the natural leaders of the rising anticipated by Bragg, had already fled their State, had fallen or were serving under the Starry Cross. The elders were discouraged by the course of the war in the West, and however welcome the Confederates, it was beyond hope that they should be able to hold the country for more than a few weeks. The Kentuckians, therefore, shrank from committing themselves, at the risk of exile and confiscation. In grain, in cattle, in horses, in all those agricultural products of which the Confederate need was especially pressing, Kentucky was perhaps the richest State of the South, and Bragg was compelled to take what the people were sometimes unwilling and oftener afraid to give. He paid for everything in Confederate money, but in a State so firmly held by Federal armies that money was of little present value. With trains of invaluable supplies, and followed by curses rather loud than deep, the Confederate General fell back even more slowly than Buell moved in pursuit. The centre and left of the latter outmarched his right, and on October 8, at Perryville, the Federals sustained a severe and damaging defeat. Buell himself confessed to a loss of more than 4,000 men and ten guns. But Bragg could not await the reunion of the enemy's overwhelming forces.

He had fought to secure the withdrawal of his trains. It

<sup>2</sup> Even Draper gives it that number.

was said that that convoyed by Kirby Smith alone was forty miles in length, contained a million yards of jean (a superior white cloth resembling ducks), quantities of other clothing, and above all of boots and shoes, the most precious part of the convoy, 15,000 horses, 8,000 cattle, hundreds waggon-loads of pork and bacon, and herds of swine. Beside the two Federal armies surprised and shattered in Bragg's advance, a third, occupying a gap in the Cumberland Mountains not far from Knoxville, instead of intercepting or attacking in rear Kirby Smith's scarcely superior force, had retreated in a panic, blown up its magazine, burned its tents, waggons and gun-carriages, and fallen back upon the Ohio.

The disaster of Perryville was so decisive that Buell, despite the disparity of force, dared not again molest the Confederate retreat. Refusing to acknowledge defeat, he left himself no excuse for his prolonged inaction. On October 30 he was removed from his command, and Rosecranz, his successor, found his enormous army so dilapidated that he dared not venture to advance till largely reinforced from another levy of 600,000 men called out by the Northern President.<sup>3</sup> The Confederate Government ordered Bragg, after securing his trains, to attempt another northward march, though the first had failed in one main object—to compel the retreat of Grant. Late in December Bragg had reached and halted with 85,000 men at Murfreesborough, while Rosecranz with from 60,000 to 70,000 kept Christmas at Nashville.<sup>4</sup> The

<sup>3</sup> Draper, vol. ii. p. 353.

<sup>4</sup> On Dr. Draper's showing Rosecranz must have found 80,000 men remaining from Buell's defeated host of 100,000, his reinforcements must have brought his force up to more than its original numbers, yet he had, this writer avers, only 43,000 men at Nashville. If Bragg had ever 50,000 they must have been reduced below 40,000, and the Confederates were in no condition to reinforce him. Yet Draper coolly, and without explanation, gives him 62,000 men. This historian's figures do not receive even the compliment of refutation from respectable and responsible Federal writers, such as are most of the authors of Scribner's series. The proportion of Federal and Confederate totals was at this time about one million to three hundred thousand. The South had never more than some 350,000 soldiers of all sorts, and after the grand conscription of the first spring (1862) her numbers were constantly dwindling. Her whole military population was under arms. In spite of Grant's vague suggestions to the

Confederate outposts were driven in so rapidly that they could not even destroy the bridge they guarded, and on December 30 Bragg concentrated his army in front of Murfreesborough, facing west, with the exception of Breckenridge's division, which faced to the northward on the extreme right, divided from the rest of the army by Stone River. Both Generals appear to have intended an attack by the left. Soon after dawn on the last day of 1862 Withers and Cleburne, the last a former private in the British army, attacked the Federal right, crushed and swept away the two divisions first opposed to them, and fell upon the flank of Sheridan's. Rosecranz's intended offensive was already paralysed, but bringing his main force back to the right, he formed a new line in the shape of a half-circle facing southwest. After an obstinate defence Sheridan's division shared the fate of its predecessors; but meanwhile the Federal artillery had been massed on the point against which the Confederate attack was next directed. Four desperate charges in front upon the line of guns were attempted by the victorious but already half-exhausted Confederates. Four times they were repulsed, leaving nearly half their number *hors de combat*.<sup>5</sup> Breckenridge's division, confessed by Draper to have been but 7,000 strong, was brought round from the left, and twice attacked Rosecranz's new left with effective success. Rosecranz was thoroughly beaten, but his superiority of numbers, and, above all, of artillery, enabled him to maintain his new ground.

The second Confederate attack had been pressed with characteristic Southern desperation, and had resulted in

contrary, each of the main Federal armies was now and subsequently as superior in numbers to its antagonist as the comparative means of the two Governments would lead us to infer. The resources of the Government at Washington, its numbers, its supplies, its means of transport, were simply inexhaustible, and Stanton employed them to good purpose. The South was even more hopelessly outmatched in transport than in any other element of military strength. The figures given in the text, if not accurate, err in underrating the advantage on the Federal side.

<sup>5</sup> I mean such statements to be construed as strictly as the conditions of each case permit.

losses which left the army in no condition to renew it on the morrow. On January 2, 1863, Rosecranz threw a large part of his force across the Stone River and crowned the heights with artillery. Breckenridge, one of the finest divisional commanders of the South, with fewer than 5,000 men, flung himself once more upon numbers at least thrice as great as his own, and was again hurled back, not by those tremendous odds, but by a concentrated fire of artillery under which, by the enemy's account, he lost 2,000 men in twenty minutes. The Confederates stood fast throughout the 3rd. A violent storm excused Rosecranz's inaction. He owned to having lost 8,500 killed and wounded, 3,000 prisoners, and more than one-third of his guns. The Confederate losses were tremendous, proportionately heavier if numerically less than those of the enemy, but consisted almost entirely of killed and wounded. The loss of guns and prisoners suffices to prove that the victory rested with the Confederates. An army which, receiving the attack in a strong position, can neither keep nor recover a third of its artillery, is badly beaten. Bragg's retreat was the inevitable consequence of an incomplete victory. The beaten enemy was still twice as strong as he. Grant's great army lay not far to his left rear, and the Federal forces in Kentucky and Tennessee, all of which were at leisure to fall upon him, were stronger than either. He was not there by his own choice: much was to be risked and nothing gained by remaining, and accordingly he fell back at his leisure to the exposed and all-important position of Chattanooga. Rosecranz was too completely crippled to venture a step in pursuit.<sup>6</sup>

\* So Draper himself confesses.

## CHAPTER XIV.

## FREDERICKSBURG.

Burnside supersedes M'Clellan—His Government bent on Fighting—Change of Base—Delays, Blunders, and Disasters—Battle of Fredericksburg—Defeat of the Federals—Why Lee forbore to attack them—Their Retreat.

THE beginning of 1863 marked the lowest ebb in the fortunes, if not in the hopes, of the North. Grant was still crippled by the disaster of Holly Springs, Sherman's army had been defeated before Vicksburg with a loss of 2,000 men by six Confederate battalions, and with the first days of the year came the news, whose real bearing could not long be concealed, of Murfreesborough. Every one of the main Federal armies was beaten, baffled, thrown on the defensive or in retreat. The Army of the Potomac had sustained the heaviest and most crushing disaster of the whole war, and lay shattered and mangled on the Rappahannock. M'Clellan had left a strong force to protect Washington from the spectral hosts, persistent and unreal as those of Longfellow's and Whittier's legends, that haunted the imagination of the President. Positive proof that North-Eastern Virginia had been stripped of troops to strengthen Lee at last persuaded the Government to release this corps, and it felt its way to the Rappahannock without encountering any enemy more formidable than the half-maddened mothers of starving children. It could not trouble Lee's position in the Valley without uncovering Washington; and President Davis was not to be frightened by a substantial menace to his capital into weakening the Army of Northern Virginia by a single regiment.

On October 2 Pleasanton, who had succeeded Stoneman in the command of the Federal cavalry, crossed the Potomac,

came too near the Confederate lines, and escaped, with difficulty and no small mauling of his rearguard, from the hands of Stuart. On the 10th the Confederate Rupert returned the visit. With some 1,500 horse and half-a-dozen light guns he fell on Chambersburg in Pennsylvania, seized large Government stores and a number of horses, pushed on to Gettysburg, doing much damage to public but little or none to private property, passed completely around the lines of an army 140,000 strong and a cavalry force far larger than that of Lee, and returned in triumph without losing a single man, bringing in 600 remounts and clothing sufficient for his whole division.

On October 20 the huge Army of the Potomac, which M'Clellan had divided into nine corps (not including that acting under Sigel from Washington), was by Lincoln's orders organised into three 'grand divisions,' under Sumner, Burnside and Hooker. The only effect of the change was to weaken the control of the Commander-in-chief and the discipline of the army, and to place three very unfit men over the heads of their betters. Meanwhile the army was almost too big to feed or move; and if not big enough to conquer, of what avail could numbers be? M'Clellan resolved to place himself on Lee's right, so as to threaten his communications with Richmond; and crossing the Potomac, and clearing, after a few skirmishes, the northern passes of the Blue Ridge, he occupied Warrenton and recovered communication with Washington by the Manassas railroad. Lee meanwhile, carrying with him Longstreet's corps of five divisions, and leaving Jackson with A. P. Hill, D. H. Hill, Jubal Early, and Stuart's cavalry in the Valley, threatened M'Clellan's right flank, and took up a position on the south bank of the Rappahannock.

The result of the autumn elections showed that the favouritism, blundering and ill-luck of the Government had provoked the contempt of the Northern people. The feeling of the army was equally strong, and, despite M'Clellan's endeavours to silence its expression, equally notorious. The public called for a change of men and measures at Washing-

ton, insisting that military movements should be left to the commander in the field. The movers of the Republican 'machine' warned the President that nothing but M'Clellan's dismissal could save the party. Lincoln had to choose between the country and the Cabinet, to support or to ruin his future rival, to sacrifice the faction to the army or the army to the faction. The political considerations he thoroughly understood outweighed the military interests of which he was far less qualified to judge. On November 7, to the dismay of the army and the amazement of the public, M'Clellan received orders to transfer the command to Burnside; a gallant soldier, a loyal subordinate, unsuccessful in inferior and untried in high command, but a safe scapegoat in case of failure, and above all, one of whom success could not make a formidable political rival. At the same time Porter was relieved and ordered to Washington for trial. His condemnation was pre-assured by Pope's hatred and M'Clellan's friendship. Competent military critics pronounce that Pope's charges were as false as selfish and unchivalric, and the best authorities evidently hold that Porter was sacrificed to political and personal animosities.<sup>1</sup> The moving influence was unquestionably that of Halleck and Stanton; but Mr. Lincoln's admirers cannot divest him of an equal responsibility. Their master when he so chose, he was, in his treatment of M'Clellan and of M'Clellan's most loyal friend, either their facile tool or their willing accomplice.

Burnside knew what was expected of him. He did not, of course, receive formal orders to fight at any hazard, but such was the known desire of the Government, and the only conceivable purpose of his appointment. To base himself on Aquia Creek and force the Rappahannock at Fredericksburg was the safest-seeming alternative that had not been tried and failed. Burnside knew too much of his profession not to remember the maxim, that an enemy is never so dangerous as when he disappears. He was ignorant of Lee's exact position and could not detect his plans, while by the excellence of the

<sup>1</sup> E.g. *Campaigns*, iv. Appendix B.



Confederate cavalry his great antagonist would probably divine and anticipate his movements. On November 17 the Federal advance, under Sumner, reached Falmouth, a suburb separated from Fredericksburg by the Rappahannock. On the 21st Burnside demanded the surrender of the latter on pain of bombardment within sixteen hours. This unworthy threat was withdrawn, and the time for the removal of the women and children of a whole community, with but one line open to them, extended to forty-eight hours. The people of Fredericksburg voluntarily abandoned their dwellings and property to destruction. But Burnside was detained for a fortnight on the north bank by the inexplicable negligence of Halleck in despatching the required pontoon train from Alexandria. Meanwhile the superiority of the Confederate cavalry was demonstrated by a series of exploits very discouraging to the expectant enemy. They guarded the fords of the Rappahannock, dashed into the Federal lines, captured convoys, surprised squadrons, seized pickets, and, in American phrase, 'played hell' with the inactive Army of the Potomac and its helpless cavalry.

Lee's whole army, numbering perhaps 70,000 men, lay strongly entrenched on the heights above the town. Burnside had 125,000 immediately in their front with a huge artillery train, besides a rearguard of 20,000 or 30,000 men protecting his communications and occupying the country between Falmouth and Acquia Creek. The town of Fredericksburg and the low ground on the southern bank of the river was dominated by the northern hills along which the overwhelming artillery of the Federals was posted. The southern heights approach within half a mile of the town, and lower down recede from the stream, leaving a plain somewhat more than two miles broad at its widest. About five miles below the town they meet the stream. Lee's entrenchments were lined by a force sufficient to serve the guns and hold the works against surprise; the larger part of his troops were massed under shelter near the front, and so well placed that they could be brought up promptly to any endangered point.

A few companies of a Mississippian brigade held the town, confronting 180 guns, many of them of the heaviest calibre, so placed as not only to crush the city, but to command a great part of the heights. On December 11, 1862, Franklin, on the Federal left, under cover of a fog, threw two brigades over the river and prepared to cross. Hooker, in the centre, immediately opposite the town, was less fortunate. The fog lifted before the work was done, and 800 or 400 Confederate sharpshooters, occupying the deserted houses, compelled Hooker's three corps to abandon the attempt. For hours thirty-five Federal batteries, each of from four to six guns, rained shot and shell on this tiny band. The town was laid in ruins, the slaughter was heavy, but Barksdale's Mississippians held their own, and when the fire was suspended baffled a second attempt. Colonel Hall with 400 Michigan volunteers at length crossed the river in boats and seized the town. The Confederate guns remained silent, for in spite of feints Lee knew where Burnside meant to cross, and was not disposed to prevent him. On the Confederate right was Jackson, with Early and A. P. Hill in front and D. Hill in reserve. On the left, opposite the town, was Anderson, next him Ransom, M'Laws, Pickett and Hood joining Jackson's left. On both flanks were heavy batteries. The Confederate artillery, about 300 guns, was almost equal in number, if not in calibre, to that of the enemy.

On the 11th Sumner's corps had occupied the town in strength. On the 12th the preparations for crossing were completed, and on the 13th, in the dense fog of the early morning, the Federal army was thrown across the river, and endeavoured by a series of separate and concerted attacks to break the Confederate line. At one point a single raw battalion gave way before such overwhelming numbers; but Early, bringing up a reserve brigade, drove the assailants down the hill with terrible slaughter. Meagher's Irish brigade charged up to the muzzles of the guns on Marye's Hill, immediately above the town, and were well-nigh annihilated. When the Federals clung to the woods fringing the foot of the hills, the Confederate reserves sallied forth and drove them out at the bayonet's

point. The attack was well sustained ; the courage of the best Federal troops as signally displayed as the incapacity or ignorance of the Government which had sent them to certain destruction.

That night the defeated army lay heaped rather than bivouacked or encamped along the southern bank of the Rappahannock, covered in some sense by its heavy artillery on the northern heights, but almost under the guns of the conquerors. Exhausted, broken up, confounded and disheartened, a majority of the corps were saved from utter rout mainly by the impossibility of effecting a retreat across the river. Those who had suffered least were so conscious of hopeless defeat that a counter-attack, and especially a night surprise, would probably have found them in no state to fight. But the Confederate leaders were, as usual, more fully aware of their own than of the enemy's condition. The courage and desperation of the assaults, the undaunted firmness with which they had been repeated, had made a deeper impression than the completeness of the final repulse. If half the enemy could be formed in line to meet the first charge, time would be given for the rest to rally ; the Confederates, engaged in so close a conflict with superior numbers within a space so narrow, might be unable to extricate themselves, and if driven back the Federals might enter their lines along with them. By day their advance must be made, over a distance varying from half a mile to two miles, under a crushing artillery fire ; and a night attack in force is notoriously one of the most dangerous and difficult of military operations, requiring a greater steadiness, a stricter discipline, than was then to be expected from the Army of Northern Virginia, the best disciplined in America, after a hard day's fighting. All the ordinary hazards of confusion and darkness were greatly enhanced by the common speech of both armies, the irregular dress,<sup>2</sup> the loose formation of the Confederates.

<sup>2</sup> In one of the Western battles General Polk's presence of mind turned a similar confusion to signal account. He saw what he took for a Confederate regiment placed perpendicularly to the flank of another and firing into it. He

The ordinary chances of missing the road, of delay or premature attack, of the failure of concerted movements, of firing upon friends, were more than doubled, and enhanced the risk of uncontrollable panic and irretrievable disaster.


Such were the varied and stringent considerations which led General Lee to refrain from pressing the greatest advantage of the whole war. He was much blamed for his caution, but the counsel ascribed to Stonewall Jackson was perhaps more calculated to indicate the hazards than to enforce the policy of the attempt. 'I recommend a night attack'—such, according to camp rumour, was the advice of that eccentric hero—'and to prevent mistakes I propose that we all strip ourselves stark naked.' *Se non è vero è ben trovato*. The *outré* idea, fact or invention, is eminently characteristic of the man or of his reputation. An enterprise demanding so strange a precaution was hardly likely to commend itself to the Confederate Commander-in-chief. The Federal Generals expected an attack, and were disposed to accuse their antagonists of throwing away a splendid opportunity. They were naturally more impressed by their own condition and imminent danger than by the difficulties and drawbacks which presented themselves most forcibly to the mind of Lee.<sup>3</sup> The morning of the 14th revealed to the Confederate leader the material, but not the moral, results of the previous day. But till noon at least he and his lieutenants, Stuart excepted, are said to have expected a renewal of the attack. Burnside actually proposed it, but was controlled by the protests of Sumner, Hooker and Franklin.

rode up to the front of the offending regiment and ordered them to cease firing. 'What regiment is this?' 'The — Illinois; and who the devil are you?' The Confederate Lieutenant-General had ridden right into the ranks of the enemy, many of whom may have known him in the pulpit, without detection. 'I will soon show you who I am; cease firing directly!' He rode along their front, every moment expecting a ball in his back, passed their flank, rejoined his men, and led them to attack and almost destroy the confused and bewildered Federals.

<sup>3</sup> Chesney says nothing of the possibility of a night attack. If any rumour of the suggestion had reached his ears, he probably regarded it as too preposterous for serious consideration. In concluding that Lee erred from over-caution, he refers to the inaction of the next two days.

The Federals had lost some 13,000 killed, wounded and prisoners, about one-tenth of their whole number, but two-thirds of the loss fell on Sumner's command. The consummate skill with which the Confederate defence had been planned by Lee and conducted in detail by Hill, Stuart and Jackson—and especially by Longstreet, described by Johnston as a General almost infallible in an emergency, and by Lee as competent to fill any position in the army—was proved by the slightness of its cost. The Army of Northern Virginia had not lost 3,000 men; their wounded, moreover, had been carried to the rear, while those of the enemy still strewed the line of their advance, and most of their dead lay unburied. The Federal position was eminently critical, for they dared neither renew the attack nor attempt to recross the river. With an unfordable stream in their rear, and many of their bridges commanded by the enemy's artillery, an orderly retreat with a victorious enemy pressing them closely would have been impossible. The first fugitives would have crowded and blocked, if not broken down, the bridges; and the artillery on the opposite heights, heavily as it might have played on the Confederate approach, would have been powerless when once the armies were closely engaged.

Lee, as a veteran of the old Army, perhaps overrated the comparative quality of the Federal troops, and judged the chances of the situation as if the latter had been little less resolute and determined than his own soldiery. It is possible that he also overlooked the enormous moral influence which the destruction of the Army of the Potomac would have exercised. From the purely military standpoint, it would not have greatly affected, much less transferred, the balance of power. The North could better spare 100,000 men than the South 25,000 soldiers of the Virginian army. All strategic considerations pointed to the Mississippi as the true objective of the Federal attack. The weakness of the Confederate defence, considered as a whole, was in the left wing, which had already been driven back so as to sever the continuity of the line, and might be pierced. Should it be pierced at Chattanooga or in



Mississippi, and a powerful Federal force poured through the gap, the strategic position of the South was desperate. But her true hope lay not in conquering the Northern armies, but in wearing out the spirit of the Northern people. The eyes of the North were fixed on Virginia. No victories in Mississippi, Louisiana or Texas could repair the moral effect of a disaster that might give Washington or Baltimore to the Confederates. This consideration governed, and thus far had rightly governed, the military policy of the Confederate Government. It might be pushed too far; Richmond might become a millstone around Lee's neck; but as yet a crushing blow delivered on the Rappahannock, laying Maryland and Pennsylvania again open to invasion, was the best if not the only chance of achieving the one object of the war. Over-caution formed no part of Lee's character as a General.<sup>4</sup> It is only fair to infer that on the military facts presented to him in December 1862 he judged correctly. The event proved that, acting on the dictates of military prudence, he lost the greatest opportunity ever afforded to the Confederacy.

On the 15th Lee permitted the removal of the enemy's dead and wounded without waiting for a formal request, which, greatly to Burnside's discredit, was not sent in until the 16th. On the evening of the 15th, a heavy storm of wind and rain from the southward intensified the darkness and drowned all ordinary sounds. Covered by the night and the tempest, Burnside, moving with all possible silence and with no common tactical skill, succeeded in carrying his army, guns and baggage across the river. Efficient and vigilant as was their cavalry, the duty of infantry pickets was never well performed in the Confederate service.

The frequent escapes of prisoners from stockaded and guarded camps is one proof of this. Once outside the lines, such an escape was less hazardous than it seemed. The negroes were not eager to hinder, and were easily bribed to guide them; the country, affording abundant shelter in primitive forests and districts desolated by the invaders, was almost

<sup>4</sup> Witness Chancellorville and Gettysburg.

stripped of men capable of beating the woods, of tracking, hunting down and arresting a party of well-armed fugitives.

Burnside's disaster gave license to the insubordination of those immediately under him, and Hooker's open disloyalty and actual disobedience soon left no alternative but the dismissal of the unlucky chief or of the rebellious second in command. Mr. Lincoln's choice was soon made. Hooker was given to rash vaunts and promises; but not worse than Seward, and not so bad as Pope. All his prophecies of disaster had been fulfilled; perhaps his promises of easy triumph, were himself in command, might be also verified. Franklin was also withdrawn from service to await an enquiry into his conduct. Sumner, worn out by age and disappointment, retired only to die. All the principal commands of the army were thus vacated. The North had but two proven Generals. Grant could not be spared from the West, and M'Clellan, on whom all who cared more for the Union than for the dominant faction, and ascribed the disasters of the war to incapacity and political intrigue in high places, had fixed their hopes, was yet more formidable to the Government than to the enemy. Rather than give him another opportunity, Mr. Lincoln resolved to trust the principal army of the Union and the next Virginian campaign to the competence of an untried and distrusted man. Hooker, of all the Generals in the Army of the Potomac, was perhaps the last whom a European Government would have selected for the chief command. But he had acquired by daring leadership, reckless personal courage and sheer good-fortune the kind of half-mistrustful popularity shown by his camp sobriquet, 'Fighting Joe.' He was the only man whose appointment would not have called forth an irresistible clamour for M'Clellan. He was allowed to follow out his big words in his own way. The system of grand divisions and semi-subordinate commands was allowed to lapse. The Major-Generals commanding corps were placed in direct and sole subordination to Hooker, and his army was reinforced to a strength of 140,000 men; while Lee's was reduced by various details—above all by the detachment of Longstreet with the larger

part of his corps to resist the Federal advance upon Knoxville—to a total of less than 50,000 men. Yet with nearly three-fold numbers, Hooker was practically thrown on the defensive. Stuart repeated the raids which had already made him famous. The short line of communication between Falmouth and Acquia Creek was more than the gigantic Army of the Potomac could protect. W. F. Lee, the son of the Commander-in-chief, harassed the enemy's lines, and with the light artillery attached to his brigade actually fought and beat off a squadron of Federal gunboats with their heavy guns, when they endeavoured to take advantage of the swollen river and interpose between Hooker's left and the Confederate entrenchments. Fitzhugh Lee<sup>5</sup> crossed the Rappahannock in its upper course, swept round the Federal right and rear, cut the few miles both of telegraph and railroad by which Hooker communicated with his base on the Potomac and thence with Washington, and on February 25 dashed into the Federal camp and carried off several prisoners.

General Milroy, almost as great a favourite at the War Office as Butler, the object of his studious imitation, commanded in the Shenandoah Valley; but, like Butler, his 'vigour' and 'energy' failed him when confronted by men with arms in their hands. Two brigades of Confederate cavalry under Imboden and Jones harassed his troops and laughed his efforts to scorn. Jones surprised and cut to pieces two cavalry regiments belonging to Milroy's command, swept the Valley and carried his foraging adventures beyond the Potomac. Imboden carried the war into Western Virginia. The two commanders at last entered Pennsylvania, and though of course unable to remain, scared the inhabitants, frightened the State Government, carried away valuable supplies, and gave the North a very slight taste of the discomforts of invasion. No provocation could induce Confederate commanders to demoralise their men or disgrace their cause by retaliating the wanton havoc of Grant and Sherman, much less the deeds of Butler and Milroy.

<sup>5</sup> Nephew of the General, and first cousin of G. C. and W. F. Lee.



Towards the latter end of April the total force under Hooker's command had reached, on Federal showing, 160,000 men, of whom 140,000, divided into seven corps, were held at bay on the Rappahannock by one-third of their number. After the lesson administered to Burnside, no odds seemed to warrant a direct attack. But a far smaller superiority of force gives to a competent general advantages which no superiority of quality, position or strategy can countervail. The situation was such that a force which, turning Lee's left, should push on vigorously, while a superior army still occupied him by menacing his front, would interpose itself between him and Richmond, and might fall either on his rear or upon the city. Hooker was so strong that, however divided, baffled or out-generalled, he could always be sure of meeting the Confederates with a vastly superior force, thus depriving them of the strategic defence proper to the situation. Lee could not so use the advantage of interior lines, the opportunity afforded by turning movements, as to attack and beat the enemy in detail. Either wing would outnumber enormously his whole army. Hooker moved 100,000 men up the river, to cross the Rapidan and the Rappahannock above their junction and debouch on Lee's left and rear with twofold numbers, while leaving 40,000 men under Sedgwick at Falmouth. If Lee remained in his entrenchments he would be surrounded and crushed; if he evacuated them they would be occupied and held, while the Confederate army would be utterly overwhelmed in the open, and a force nearly equal to their own would seize their communications, intercept their supplies and threaten their retreat. Lee must conquer, one to two, in an offensive battle, or retreat in face of the enemy's threefold numbers so expanded as almost to envelop him.<sup>6</sup> Neither alternative should, according to military science, present any prospect but annihilation.

Lee, however, knew how to take advantage of the country, aptly known as the Wilderness; of the tangled woods, difficult paths, hindering and screening obstacles which only bewildered and hampered his antagonist. Hooker's movements were pre-

<sup>6</sup> Chesney.

precipitated by the knowledge that the two-years volunteer regiments raised in April and May 1861, among the best in his army, would presently claim their discharge. The main army crossed the Rapidan about eighteen miles from Fredericksburg, and halted on April 30 to concentrate at Chancellorsville. Sedgwick on the 28th threw a part of his force across the Rappahannock, but Lee detected the unreality of the menace; and on the 30th, having left 15,000 men to deal with Sedgwick, he moved with 95,000 to encounter the three-fold force of Hooker. Hooker had informed his troops that the retreating Confederates 'were now the property of the Army of the Potomac'; yet he busied himself on May 1 and 2 in intrenching himself behind breastworks of felled trees, instead of taking that offensive which was the object and only natural development of his strategy, and awaited their attack.

Opposed to 140,000 men, separated, as has been seen, into two very unequal bodies, Lee confronted Sedgwick with 15,000 men, placed A. P. Hill's command along the front of the enemy's left and centre, and pushed forward Jackson with a full half of his whole army (about 24,000 men) so rapidly to his left, turning the Federal right, that at five p.m. on the evening of the 2nd Jackson found himself, with a quarter of Hooker's strength, on the right and right rear of the latter. The corps which first confronted him was that of Howard, unprotected by entrenchments; of which Sigel's German division—under the command of Carl Schurz, a famous Republican politician of Missouri—formed part. The Germans were shrewd enough to appreciate the capacity of their commander, and evidently lost all confidence on finding themselves transferred from the charge of a soldier to that of a demagogue. They made no stand; the whole corps fled in panic at the mere approach of the Confederates. Howard, a gallant old soldier whose empty sleeve bore testimony to his services at Fair Oaks or Seven Pines, vainly attempted to rally the fugitives. Sickles, whose corps was next in line—another political General, known till then only by an assassination of the class pardoned by an American jury to marital revenge, whose acquittal public opinion

hardly endorsed—caught some of the flying artillery waggons and closed with them the only opening in a wall which crossed the line of flight. This ingenious device arrested the rout for a moment; but the panic-stricken Federals owed their escape from destruction to the most lamentable of a numerous series of similar accidents.<sup>7</sup> Jackson was riding along the front with his staff about eight P.M. in quest of a part of A. P. Hill's troops. Coming upon them in the closing twilight, the party were mistaken for a troop of the enemy's cavalry, and received with a volley whereby Jackson himself was seriously wounded. The adored leader was carried off the field amid the tears, sobs and imprecations of his involuntary slayers, heart-broken with sorrow and frenzied with self-reproach. Hill was himself disabled, and the attack was checked for the night, while Stuart was sent for to take command of the Confederate left. The Federal line had been thrown back so as to form an obtuse angle, the right joining the centre just in front of Chancellorsville.

The attack was renewed at daybreak all along the line, and the Federals were everywhere driven back. Hooker was struck about noon by a fragment torn from his own headquarters, and was for hours in too great pain to exercise the command he would not resign. The Federals, crushed and confounded, actually entrenched themselves to await with 120,000 men the attack of some 50,000. From Sedgwick Hooker had drawn 15,000 men, leaving 25,000 at Falmouth. Opposed to these were but 4,000 Confederates, for Lee had withdrawn to strengthen his centre the rest of the force left to hold the heights. Yet this little band completely imposed on Sedgwick with his sixfold strength. He heard the firing on May 1 and 2 at Chancellorsville, but did not venture to advance until the afternoon of the latter, and then waited the rest of that day and half the next ere he prepared

<sup>7</sup> Both armies, owing to irregularities of uniform and absence of all other distinctions, were apt to fire on friends. But Federal Generals of such rank as Jackson's and Longstreet's were much less prone to expose themselves to the fire of their own advanced troops.


for an attack on Marye's Heights. Barksdale's five regiments kept up a fire which cost the slowly advancing enemy 1,000 killed and wounded before the latter stormed the heights, captured 800 prisoners, and learned with shame the mere pretext of defence which had kept an army at bay for four critical days within gunshot of its powerless prey. At six P.M. on the 3rd Sedgwick ventured to push forward, but Lee was now at liberty to attend to him, and a small force under M'Laws was despatched to repeat Barksdale's manœuvre. A slight improvised breastwork and a steady rifle fire, shattering the ranks of the 95th New York, at once arrested Sedgwick's march. On the 4th, after being ignominiously beaten, first by a far weaker force which had been incessantly engaged, marching and fighting for five days, and then by a yet smaller body of Confederate cavalry, Sedgwick escaped across the river to the shelter of the heavy artillery on the northern heights, with 20,000 men; having lost in these scrambling fights 5,000 killed, wounded and missing.

The total loss of the Federals was not much less than 18,000. The Confederate army was probably weakened by two-thirds of that number. Hooker lost less than one-seventh of his whole army, Lee about one-fourth. Such must be the cost of a victory won over such odds by anything like hard fighting in the open. Every division, every brigade, almost every soldier, in the Army of Northern Virginia had, during that critical week, to do twice or thrice the work of the divisions, brigades and individuals opposed to them. The Confederate triumph was achieved, in a word, by their superior endurance of fatigue and slaughter, their hardier nerves and indomitable perseverance. Lee's superior strategy told chiefly by making smaller do the work of larger numbers, by rapidity of movement, by employing the same troops to strike successive blows against different antagonists, beating first Howard on the right, then Hooker in the centre, and finally Sedgwick on the left. Hooker's apologists vainly try to excuse him by casting blame on his subordinates, declaring that he did detect Jackson's march in ample time, and that Howard failed to

prepare for the attack according to orders. But if so, why were not Lee's inferior and divided forces attacked and crushed? why was not his right destroyed while confronting sevenfold numbers? why was not Jackson's long straggling column taken in flank and cut to pieces? The Federal chief has no cause to thank the friends who clear him of bewilderment and want of perception by accusing him of utter incapacity. Hooker's ignorance and Howard's surprise are alike excused by the fact that so consummate a general as Lee counted upon them; ventured on the separation of his force and the long and hazardous flank march in the conviction that it would not be found out until too late.

That the Federal army was not merely beaten but confounded and demoralised is plain from Hooker's subsequent course. Their losses left the disproportion between the armies even greater than before; yet not only had he no thought of assuming the offensive, but he proceeded to entrench himself with as much caution as if awaiting the attack of a superior enemy; though it is said that some of his corps commanders who had been least roughly handled alleged, probably with truth, that the spirit of their own men was unbroken. That portion of the Federal army which had not been beaten, because it had not been seriously engaged, far outnumbered the weakened Army of Northern Virginia. The initiative, nevertheless, was left to the latter; but they were in no condition to press their advantage. Jackson's corps was utterly worn out and temporarily disorganised at the close of the struggle. And though such veteran troops speedily recover the exhaustion, physical and moral, produced by three days' constant fighting, prudence demanded a pause for rest and reorganisation before they were again called upon for extraordinary efforts.

The news of their leader's death was in itself a heavier blow than the loss of a battle. The prestige of Stonewall Jackson, his career of success, hardly chequered by a single defeat, disheartened the Generals and troops opposed to him, taught them to anticipate disaster, as his spirit and example taught his own men to undertake and achieve what seemed, and to



others would have proved, impossible efforts of strength, speed and endurance ; to face the heaviest odds in full expectation of victory and incredulous of the very possibility of defeat.

It were ten times better,' said Lee, on hearing of his lieutenant's wound, 'it were ten times better that I were disabled than he.' Jackson's death from the amputation of his shattered arm on May 11 was felt as a personal affliction, an irreparable national misfortune, by the whole South, and saddened the hearts of millions of English-speaking men, who felt that their race had lost another Nelson or Havelock ; nay, touched with regret the nobler among his foes, who could hardly rejoice in the advantage to their cause purchased by the premature close of a career that had fixed the attention of the world, the loss of a character whose most striking traits were rather American than Virginian, and rather English, in the widest sense of the word, than American ; which had more in common perhaps with the Puritan Fathers of New England, or the best of the Cromwellian Ironsides, than with the Cavalier aristocracy of the Old Dominion. It was a signal illustration of the feelings he inspired, the light in which he was regarded by all who boast the same blood and tongue, that the finest monument which yet preserves his exploits and his features in the recollection of his countrymen was erected by English admirers.

Hooker at last fell back across the Rappahannock. Lee's army was again drawn up along its southern bank, and the strategic results of Chancellorsville, the fruits of a campaign for which the Federal Government had furnished 160,000 men, were simply *nil*. The Confederates had established an ascendancy so complete that, had the issue of the war depended on the Eastern armies, on which the attention of the world was fixed, it would have been now decided. Chancellorsville had made it plain that no superiority in numbers and material, in cannon, transport and supplies, would overcome the half-starved, half-clothed, barefooted soldiers of Lee. Nor as yet did it seem practicable to wear them down by mere attrition ; by the last brutal resource of military chess-players relying on enormous

odds, the exchange of two lives that could for one that could not be replaced. Disastrous battles, disease and hardships intolerable to men, three-fourths of whom had been bred in the enjoyment of all the conveniences, ease and comfort of English middle-class life—artisans, tradesmen, clerks, with a leaven of thriving farmers—wasted the enormous hosts of the North faster than disproportionate losses, scanty food, shelter and clothing could thin the hardy, resolute, outdoor-bred battalions of the South. Lee's army could never be brought up to a higher total than 70,000 men, all told; but 50,000 had sufficed to defeat on their own chosen ground and on their own terms the largest army that could well be supported, moved and manœuvred on Virginian soil. It was clear that the South could not be conquered in Virginia; and had the people possessed the power of making their every change of will instantly felt by their rulers that belongs to a Parliamentary Government—had the party in office had as little as the nation to lose by a confession of defeat, or had not the Cabinet known somewhat better than the people what were the critical points, the decisive issues of the conflict—the North might probably have 'let the Union slide.' But Lincoln was master of the situation, and was determined to persist.

The South asked only for independence, and, this granted, would have conceded all else; all the interests which disunion was supposed to imperil, all for which, the hope of conquest once resigned, statesmen and men of business would have contended; the free navigation of the Mississippi and such fiscal arrangements as might avert the nuisance of an internal customs-frontier. So despondent was the feeling, not perhaps of enthusiastic Unionists or resolute Abolitionists, but of that great mass of comparatively moderate politicians who had carried Lincoln's election and been tricked into war by the fancied insult of Fort Sumter and the humiliation of Manassas—so balanced was the scale—that another invasion of Pennsylvania, a single battle won on Northern soil, certainly the capture of Harrisburg or Baltimore, which might follow such a victory, would carry panic throughout the Middle States, dis-

hearten the West, sicken the commercial classes of New York and New England, and give a deathblow to the already failing zeal, which had responded of late more and more unwillingly to each new draft upon the population. Fresh efforts, therefore, were made to reinforce the Army of Northern Virginia. Longstreet was recalled, the scattered garrisons of the South-East and that of Richmond itself were weakened to the utmost point that prudence would permit, such new levies as could be obtained from a country to which the conscription laws had been rigorously applied were collected, and Lee's strength was brought up to a total of about 70,000 effective men.\*

\* The source on which, with due allowance for a strong sectional bias, a careful historian will be disposed chiefly to rely for numerical totals and details, except those given from accessible data by Southern authorities, fails us as regards the campaigns of Chancellorsville and Gettysburg. The volume of Messrs. Scribner's series which deals with these operations is written by General Abner Doubleday, whose personal and professional partisanship betrays itself in every page. The author held a command in the Eleventh Corps, so unfortunately distinguished at Chancellorsville. His work, under the form of narrative, is simply an apology for himself and Hooker, and a bitter indictment of Howard, written in the tone and temper of an American party manifesto or an ecclesiastical history of the Eusebian type—that is, with a desire to elevate Hooker, to glorify the Army of the Potomac, to disparage Meade, and to detract from the laurels of the Confederate Generals and soldiery, paramount to every other consideration. No veteran critic can fail to detect the character of the work after half-an-hour's reading, the more so that it forms so marked an exception to the usual—not universal—tone of the series. No soldier, knowing how wildly rumour lies, how signally memories differ, regarding the plainest facts of things so confused in themselves as campaigns and battles, how much pains and candour are required to get near the truth, will attach much credit to any statement of General Doubleday. Even when he is supported by the Count of Paris, it is to be borne in mind that H.R.H. is anything but 'an impartial witness.' He was so keen a partisan as to enlist in a quarrel that nowise concerned him or his, on the stronger and the aggressive side; it is for him a point of honour to cast over that cause such a halo as may seem to justify an alien, a stranger, a prince, an expectant sovereign of France, in so unusual an intervention; and he is *primâ facie* a less trustworthy witness than any Northern soldier and gentleman who simply bore arms for his State and that which he considered his country. Colonel Chesney is a much better authority, but one too near the time to be a safe guide respecting numbers and details, motives and politics. He knew little more than the newspaper correspondents could tell. A similar disadvantage attached to Major Fletcher. Draper is never trustworthy. I believe that my estimates of numbers, men and events will be found to coincide as nearly as possible with the views in which such men as Longstreet and Hancock would have been able to agree.




## CHAPTER XV.

## THE BULL AGAINST THE COMET.

Lincoln's Original Professions—Acts of Illegal Confiscation—Lincoln's Bargain with Providence—How fulfilled—The Emancipation Proclamation confined to States over which Lincoln had no power.

THE recent disasters in Virginia were intimately connected with the measure on which Mr. Lincoln's rank in popular history—i.e. in those current illusions which it is the office of history proper to dispel—mainly or solely rests; what he called his Bull against the Comet. The attitude he assumed towards the institution of slavery during the first two years of the war was in the last degree inconsistent and irresolute. He began by referring to his constitutional obligations and pledging himself to observe them strictly. The repudiation of those obligations was the essence of the Republican programme. But on his accession it was the object of Mr. Lincoln and his advisers to pacify the righteous indignation and natural alarms of the Border States by ignoring their party pledges, by appealing to the law and to the Constitution, and insisting that the President neither could nor wished to evade or violate them. In commencing the war he declared in most explicit terms that it was a war for the Union, a war against rebellion or secession, and not against slavery. Fifteen months later, in a letter to Mr. Greeley (August 1862), he said, 'My object is to save the Union, and not either to save or to destroy slavery.' The fate of the Border Slave States was now sealed. Maryland, Kentucky and Missouri were held as conquered provinces. Virginia, Tennessee and Arkansas had avowed that contemptuous disbelief in Lincoln's official oath



and voluntary promises which after events fully justified, and had thrown in their lot with the Confederacy. There was little to be gained by further deceptions. Then the President said, 'If I could save the Union by leaving all the slaves or by freeing all the slaves I would do it'—i.e. I will at need do that which I have no right to do, will confiscate the property not only of 'rebels,' but of the Unionists in Western Virginia and Eastern Tennessee.

The majority in Congress had been more daring and unscrupulous. The position of that majority was, on their own showing, questionable in the extreme. If secession were a nullity, Congress was a mutilated Rump, devoid of all moral and legal authority.<sup>1</sup> If secession were a reality, the South was a foreign enemy, with whose domestic affairs Congress had no concern whatever.

Rebellion, if the word were applicable to the Southern States, gave Congress no powers whatsoever except those in such case made and expressly provided by the Constitution, an exception so narrowly limited as hardly to be worth mention, an exception which certainly did not touch the question of slavery. On August 6, 1861, a Bill was passed to confiscate all slaves employed in the service of the Confederate Government; an act of open usurpation, not to say of political perjury, on the part of those who were sworn to observe the Constitution. In March 1862 President and Congress again set that oath at naught, ordering that every officer who obeyed the law requiring the return of fugitive slaves should be cashiered. In the next month they abolished slavery in the District of Columbia, with compensation to the owners. After the Peninsular disasters, their wrath and fear were evinced by an Act ordering the enlistment of negroes, slave or free. On the same day a general Act, confiscating all slaves of so-called rebels who came within the power of the United States, was passed by Congress and approved by the President. This and the subsequent measures of the President himself were beyond

<sup>1</sup> Because a Senate in which any State was deprived of representation was an illegal and unconstitutional assembly.

dispute void and legally criminal. Neither Congress nor Mr. Lincoln had the right to free a single slave, except in the District of Columbia. The Constitution expressly forbade the confiscation of property save on conviction for treason, and then only during the lifetime of the traitor. Mr. Lincoln's own excuse was that these were 'measures of war'—i.e. of foreign war—beyond the scope of the Constitution; a plea which confessed that the North was engaged not in putting down 'illegal combinations,' but in the invasion and conquest of sovereign States.

Mr. Lincoln's next idea was to detach the Border States from the Confederate cause by offering emancipation with compensation, and threatening them that if these terms were refused they should be deprived of their property *in toto*. During Lee's invasion of Maryland the President avowed to a deputation of fanatics the impotence of his threats and promises. What could a proclamation of emancipation do? He did not want to issue 'a Pope's Bull against the Comet.' Promises of emancipation had not brought over a single slave. (A very significant admission, by the light of which we must interpret the pretensions of Northern Generals to negro sympathy and support. Slaves intelligent enough to rebel or run away knew that the condition of the negro in the North was worse than that of slaves on an absentee plantation.) The President continued that he cared nothing for legal or constitutional restraints, he urged no moral objections to the horrors of servile insurrection and massacre, he only regretted that it was out of his power to spread throughout the South their unspeakable atrocities. But his last reason was the most significant of all. If he were to arm the blacks, the arms would in a few weeks be in the hands of their masters.<sup>2</sup>

The panic which upset his self-possession whenever the Confederate army approached within fifty miles of Washington prompted a sudden reversal of these views. He made a vow,

<sup>2</sup> Draper's report of the speech, ii. 606.

as he afterwards declared, that if General Lee were driven from Maryland he would free the slaves. A narrow education and passionate party spirit blinded him to the irreverence and impiety of such a bargain with God. No one familiar with the inconsistencies of religious thought will venture to speak harshly of Mr. Lincoln's error ; but the language in which subsequent writers have recorded it is hardly creditable to their sobriety of judgment.

To reward the Almighty for the victory of Antietam, Mr. Lincoln issued the first instalment of his Bull, proclaiming that the war was prosecuted for the object of restoring constitutional relations ; next, that he would, in defiance of the Constitution, on January 1, 1863, designate the States which were in so-called rebellion and confiscate all their slaves. On January 1, 1863, he formally proclaimed the emancipation of the slaves in all those States *over which he had no power*. In those which he had surprised or conquered, slavery was to continue for the present. The righteousness or iniquity of slavery was, then, as indifferent to him as it is wholly beside the mark. No sane man pretends that an English or French crusade against Russian serfdom or American slavery would have been aught but a wicked, wanton and almost piratical aggression, an outrage upon every law, human and divine. The North was, in this matter, not merely a foreign Power, but a foreign Power bound by solemn treaty to recognise and protect slave property. Confiscation, prohibited by express and irrevocable law, was simple violent robbery. So far as the President, Congress and the Northern people were concerned, the slaves of the South were as rightfully and as strictly property as the land, the cattle and the crops. Few probably will affirm that an invader could confiscate these by right of war ; while, as a penalty for rebellion, confiscation could only be inflicted after trial and conviction, and then only during the lifetime of the convict. Were we, with Mr. Lincoln, to seek the judgment of Providence in the immediate sequel, the action directly brought about its own signal punishment. It was to give effect and significance to this bravado that the troops of

Burnside were hurled upon the heights of Fredericksburg. It was to cover the President's policy from ridicule, as his warmest admirers hint, that 'Fighting' Joe Hooker was placed in command, to bring on a battle at any cost, and incurred the signal disgrace of Chancellorsville.<sup>3</sup>

<sup>3</sup> See Draper's chapter on this subject, above quoted.

## CHAPTER XVI.

### GETTYSBURG.

Northern Civilisation and Southern Chivalry—Plan of Lee's Offensive Campaign  
 -- Its Strategic Character—The Valley cleared of the Federals—Meade succeeds Hooker—Gettysburg—The Virginian Army saved by its Prestige alone  
 -- Its Successful Retreat.

PRESIDENT DAVIS, postponing as usual all considerations of personal safety, popularity and local interests, allowed Lee to leave in Richmond a garrison hardly sufficient to guard at most against a sudden raid, utterly inadequate to cope with the forces which, even if the whole Army of the Potomac were withdrawn northward, might have been—and actually were—mustered to threaten the Confederate capital. Trusting, and justly trusting, to the panic which his approach invariably inspired in the North, to the paralysis with which that panic smote at once all the forces scattered throughout Virginia, and to the prestige which repeated Federal disasters had attached to the defences of Richmond, Lee passed round the flank of Hooker, and leaving behind him an army numerically far superior in infantry, artillery and cavalry, entered the Valley of the Shenandoah and swept northward.

Milroy belonged to that class of military despots who had earned and enjoyed, by petty vexations and harassing exactions, the especial hatred of the Southern people. Not only were the latter plundered of every kind of property that tempted the greed or might serve the use of the invaders—of carriages and horses, servants, cattle and crops—but they were often forbidden to purchase the ordinary necessities of life except on taking an oath of allegiance to the enemy's Government. The houses of distinguished Confederate officers were wantonly burned in mere unsoldierly spite. Northern feeling

and tradition decidedly reprobated those worst outrages upon women which are but too common incidents of war, and for which French armies in particular have earned an evil name. In this one respect they behaved like German or English soldiers; *per contra*, no other troops have so delighted in humiliating, harassing and mortifying women, young girls and children. Such was the temper of the Northern people, that such acts of unsoldierly malice were sure of applause. Northern party spirit invented, with strange unconsciousness of the true bearing of the story, an equally characteristic illustration of Southern patience and chivalry. The Stars and Stripes disappear from Frederick on the approach of the Confederates. Displayed by a silly old crone from an attic window, the hostile flag provokes a discharge from the insulted victors.

She leaned far out on the window-sill,  
And shook it forth with a royal will.  
'Shoot, if you must, this old grey head,  
But spare your country's flag,' she said.  
A shade of sadness, a flush of shame  
Over the cheek of the leader came.  
The nobler nature within him stirred  
To life at the woman's deed and word.  
'Who touches a hair of that grey head  
Dies like a dog. March on,' he said.  
All day long that free flag tossed  
Over the heads of the rebel host.

Whittier brings out, the more forcibly because unawares, the contrast between the petulant impertinence of Mistress Barbara and the forbearance, tinged with contempt, of the Confederate chief and soldiery. Such was the temper and such the discipline of the Southern troops, with scarcely an exception, throughout the war. No retaliatory rudeness or severity was inflicted on Northern citizens. In no case had the Pennsylvanians to complain of personal injury or even discourtesy at the hands of those whose homes they had burned, whose families they had insulted, robbed and tormented. Even the tardy destruction of Chambersburg was an act of regular, limited and righteous reprisal.

These truths are not to be found in Northern histories. Fresh as they are in the memories of that generation, numerous as were the instances of the simple courtesy of Southern and the exactly opposite conduct of Northern soldiers recorded in the ephemeral publications of the time, nine tenths of the evidence is now practically lost.<sup>1</sup> I speak from accurate recollection of an exceptionally wide reading, chiefly of Northern works, and of conversation with sufferers whose testimony none who knew them would dare to question ; and all I say will be found confirmed by recollections of the war recently published in magazines like the ' Century.'

Generals of Milroy's stamp, and troops trained under such commanders, seldom distinguish themselves in the field. The rumoured approach of the Confederates so bewildered the Federal commander, that he had neither the nerve to prepare for attack nor the sense to run away. He doubted, he hesitated, boasted and trembled till it was too late for either course. His soldiery had made every man, woman and child in the whole country a mortal enemy. Milroy's cavalry brought him no information save of that which they had themselves seen.

The Virginian Army was now divided into three corps, besides the division of cavalry under Stuart. Longstreet still commanded the First Corps. The greater part of Jackson's men formed the Second under Ewell, the ablest of his divisional Generals, and a soldier as vigorous and enduring as any ; though the amputation of his thigh, shattered by a shot, rendered his seat on horseback somewhat uncertain. General A. P. Hill, a brilliant graduate of West Point, who had risen step after step by distinguished services from the command of a regiment, was at the head of the Third Corps. Ewell's advanced guard caught up the enemy south of Winchester ; but to spare the town, which had suffered cruelly


<sup>1</sup> Not so that it could not be recovered. I came, since writing the above, across a striking Northern testimony to the habitual, almost extravagant, courtesy of Southern soldiers, who would not even take water from a private back yard without asking leave, when any other troops would have occupied the house.



from the incidents of border warfare and from the malice of the invaders, allowed him to make his escape to an entrenched camp some distance to the northward. On June 14, 1863, Milroy's detached troops were driven in from all directions; the entrenchments were forced with splendid gallantry, and the Federals were driven at night into a single large work, demoralised and almost surrounded. Milroy, by no means disposed to fall into the hands of an enemy who might hold him to account, attempted a night evasion, found his retreat intercepted, and after a scrambling defence fled for his life with about 1,600 men and escaped to Harper's Ferry, losing some 4,000 prisoners and the whole of his stores and artillery. His conduct resembled that of Floyd at Donelson, but Mr. Lincoln's Government was more indulgent to such exploits than that of President Davis.

Completely sweeping the Valley of Federal troops, and gathering up the spoils of the fugitives, Ewell's corps pressed on towards the Potomac, followed—as soon as Hooker's movements avouched the immediate safety of Richmond—by Hill and Longstreet. The Confederate cavalry were left on the eastern side of the Blue Ridge to ascertain the course of Hooker's movements, to cover those of Lee, and to protect his flank and rear. The adventure was perilous in the extreme, a movement violating all the established canons and many of the soundest maxims of military science. Against an equal, it could not have succeeded. Lee was attempting to turn the flank of a stronger enemy without the power of threatening their communications, abandoning his own, exposed during a long march to flank attacks through the passes of a mountain range guarded only by a cavalry force far weaker than that opposed to it. He was about to invade a hostile country, aiming at a distant objective, with a vastly superior army behind him, able either to anticipate him by a shorter route or to fall on his rear, and with considerable bodies of troops and an unlimited force of drilled militia between him and his ultimate goal.

In the Kriegsspiel such play would incur certain, absolute



and ignominious defeat. But the mimic strategy of pins and counters takes no account of that which so often decides the event of real war, the character of the antagonist, the qualities, the confidence and the spirit of the opposing armies. The North-Eastern troops were slow, luxurious, encumbered by heavy trains of baggage and artillery, justly distrustful of their leader, more disheartened perhaps by the clumsy failure of Chancellorsville than by the murderous disaster of Fredericksburg; their morale impaired by a defensive attitude and a paralysing inactivity in face of far inferior numbers. The Confederate army, consisting in the main of veteran soldiers, lightly equipped, admirably officered, trained to rapid well-concerted marching, exact manœuvring and desperate fighting, had a thorough and well-founded confidence in itself and its commander. The superior strength and improved quality of Pleasanton's cavalry were proved in several sharp skirmishes, in which more than one of the passes were seized or forced. The course of Lee's movement thus ascertained, Hooker moved to recross the Potomac and place himself between Lee and Washington. He sacrificed the advantage of the shorter line in the belief that not Ewell alone, but the whole Confederate army, was in the Valley, and might sally forth upon his flank. His movement allowed Lee to withdraw Longstreet and Hill from the Rappahannock and push on into Western Pennsylvania. Stuart, in covering the rear, had a narrow escape from being enveloped and destroyed by the vastly superior force of Pleasanton, who acted with notable skill and energy. Ewell had crossed at Hagerstown and threatened Harrisburg, the State capital of Pennsylvania. On June 24, while Ewell was concentrating at Hagerstown, A. P. Hill crossed at Shepherdstown, where the course of the Potomac turns from south to east, and followed Ewell towards Chambersburg; while Longstreet escorted the long waggon train to be filled with supplies, ammunition and clothing taken from the enemy. Harrisburg was roughly entrenched and defended by the militia of the State, of whom the Governor had called out 50,000. The ill-feeling between Pennsylvania

and her neighbours to the north and east was such that their men could hardly be induced to co-operate for her defence. The excitement in Baltimore was intense, and nothing but the overwhelming force and ruthless repression of General Schenk, one of Butler's most successful imitators, prevented an actual outbreak.<sup>2</sup>

On the 24th Hooker was suddenly superseded by Meade, an experienced, conscientious, unambitious soldier, next to Hancock (just promoted to the command of a corps) the best officer in the Army of the Potomac. The motive of the change was the desire to silence a new clamour for the reappointment of M'Clellan, who retained the thorough confidence of the troops. The news that the whole Federal army had recrossed the Potomac arrested the further progress of the Confederates, and Lee instructed his corps to concentrate at Gettysburg, an important strategic position in Western Pennsylvania, not far from the borders of Maryland. Had he been as well served as usual by his cavalry, he would have known the exact position of the different parts of the Federal army, would have pushed forward and anticipated his antagonist in seizing the horseshoe-shaped heights which commanded the position. Unfortunately Stuart was engaged in one of his brilliant and daring raids in the enemy's rear, and those who commanded the cavalry attached to the several corps had less skill and experience in the paramount duty of serving as the eyes and ears of the army.

The consequence was that when on July 1 the Confederate advance approached Gettysburg, the ground was held by two Federal corps under the command, first of Reynolds, and after his death of Hancock. The fighting began with a vigorous attack by the small advanced force of the Confederates. Troops were pushed up by both sides, and the town and lower ground around it was the object of an obstinate contest. On


<sup>2</sup> The character of Schenk's government may be judged from the fact that his provost-marshal was sentenced by court-martial to a year's imprisonment for outrage and extortion which even the lax discipline and licensed lawlessness prevalent in 'occupied' States would not excuse. Chesney, ii. p. 27.

the fall of Reynolds, a single brigade of Hill's sharply charged his discouraged corps, and with far inferior numbers sustained an obstinate hand-to-hand fight, which ended in a Southern repulse and the capture of several hundred prisoners. Hill now came up with Pender's division, and drove the First Federal corps back upon the Eleventh. Again the Federals turned, made a stand, and held their ground till the arrival first of Rodes' and then of Early's division of Ewell's corps drove them from their position. The Germans of the Eleventh Corps, who bore the reproach of its rout at Chancellorsville, were broken by Early's attack in flank, and fell into confusion. The Federals attempted a steady retreat, but one regiment after another, fearing to be cut off, fell back in disorder and crowded the road leading through the town. Hill now attacked with Pender's division the other flank of the retreating column, which made no attempt to return his fire. No small part of the First Corps and many of the Eleventh threw down their arms and surrendered, unable to face the tremendous storm of shot and bullets which enfiladed their retreat. Two of Early's brigades chased the flying column through the street and drove it up the heights. Slocum and Sickles came up with two more Federal corps, and before dark they held a commanding position, with a large body of fresh men, and a total force almost equal to Lee's whole army.

The Confederate troops were exhausted with long marches and hard fighting; they had fired away most of their ammunition and were so much in advance of the trains that it was not easy to re-supply them. The whole Federal army, double Lee's total strength, was approaching—how near the Confederate commander had no means of judging. If half his army should be beaten and hard pressed before the rest could concentrate, there would be imminent danger of a great and possibly ruinous disaster. Lee therefore recalled his advance, and took up a position on the semicircular line of hills fronting the town.

Such was the result of the battle of July 1. During the night the main body of the Federals and Meade himself came up.

The General recognised the strength of that position of which Cemetery Hill, the point on which the beaten corps had fallen back, was the centre. Strong in itself, it could be entrenched by the labour of a few hours so as to give to a defending army all the advantages of a fortified camp. The shape of the high ground was that of a horseshoe fronting outward, large enough to afford full room for the army, while permitting a General from the centre to observe every change of fortune and to transfer troops with facility from point to point. The line of heights to the northward, from which Lee must attack, was rudely semicircular; their crest was lower than that of Cemetery Hill; the town lying immediately in their front was a hindrance; the length of the position rendered mutual support difficult and concerted operations necessarily uncertain. In a word, the inferior army must attack from an outer, longer, concave line a very strong interior position held by vastly superior numbers. Every one of these features was a recognised and substantial tactical disadvantage; their combination formed the worst situation in which a weaker force could take the offensive; one so unfavourable that nothing but the impossibility of remaining or retiring, and a repeatedly justified reliance on the quality of his troops, would have induced General Lee to give battle. In the first day's fighting the First and the Eleventh corps had lost some 10,000 men, of whom nearly 5,000 with ten guns had been captured. On the morning of the 2nd the whole Federal army, with the exception of the Sixth corps, were assembled on the ground on which Meade had resolved to fight a decisive battle. He rightly judged that, short of ammunition and provisions, with great bodies of militia assembling and threatening to intercept his retreat, Lee must attack. During the night of the 1st the Federal troops had been employed in fortifying their position by entrenching, strengthening the stone walls with ditches and earthen covers, closing the weaker points by abattis; forming rifle-pits and strongly covered batteries, which swept the slope in their front and the valley across which the Confederates must advance with a terrific fire.



At eight A.M. on the morning of the 2nd two of Lee's divisions, numbering 12,000 men, were still absent, and one of the best in the army, that of Pickett, which guarded their rear at Chambersburg, could not arrive in time to share in that day's battle. Lee and Longstreet are said to have hesitated. They were men clearly to perceive, to remember and to weigh the various perils and disadvantages of their situation, the dangers of attack and the difficulties of retreat. To attack was not merely to give battle on ground chosen by the enemy, but rather to assail an entrenched camp defended by a much more numerous and well-trained army, and protected by an enormously powerful artillery. None knew better than Lee how much he had been indebted at Chancellorsville to the absence of artificial defences at the point first attacked by Jackson's flank march; that the Federal army had been saved at last by the entrenchments thrown up by its enormous numbers in the course of some twenty-four hours. The present situation was in a great measure that of Fredericksburg reversed. A defeat like Burnside's must be fatal to the Confederate army, encumbered with waggon trains, enormously outnumbered, with a river in its rear, and with no position upon which it could fall back. The alternatives of immediate retreat or prolonged detention in face of a superior and unbroken enemy were, for many easily discernible reasons, exceedingly unsatisfactory. The whole political advantage of the campaign would be thrown away even more completely than by the loss of a battle. Lee's younger subordinates were as confident, as fiery, and as eager for a fight as their men. The discipline, steadiness and endurance of the Virginian Army were proof against any trial—except, perhaps, that of a humiliating and seemingly needless retreat. Rumour alleged at the time that Lee yielded against his better judgment; but the truth is not and—considering the character of the Confederate commander, his loyalty, generosity, and forbearance to his subordinates—probably never will be known. Lavish of praise and encouragement, sparing of reproof, prompt to take blame upon himself and give credit to others,

tremendous slaughter. The victors pressed on, capturing Sickles's advanced battery, and rushed up the ridge beyond under a death-shower from the dense line of guns ranged along the summit. Hill's troops on Longstreet's left pushed forward under a yet more terrific fire, swept away Hancock's corps and charged to the very muzzles of the guns. But two reserve battalions brought up at the critical moment poured through them an enfilading fire. Hood had been badly wounded, and Longstreet, leading the charge at the head of M'Laws' first brigade, had lost control of the action. The Second and Third Federal corps had been beaten, but the Sixth came up in time, and Meade stripped his extreme right to protect his endangered left. The right was seized by Ewell, but upon the left Longstreet was overwhelmed by numbers, had lost several of his best general officers, and was only able to hold the ground which he had won. The division of Hill's which had pierced the main Federal line had been enveloped, overwhelmed and driven back with heavy loss.

Night closed. The Federals felt themselves beaten ; the Confederates believed themselves victorious, and the feebler spirit of the stronger army might compensate the advantages of number and position. But Meade, calm and clear-sighted, accurately comprehended his situation and the practical results of the day's fighting. Ewell alone had got a real grip of the Federal position, and this on the extreme right ; whither Lee could not transfer the attack for fear of abandoning his position and communications. On this advanced post Meade massed both infantry and artillery at five A.M. on the 3rd ; and after several hours' hard fighting the Confederates fell back. The Federals pursued, encountered Ewell's reserves, and were chased back to their lines.

Here about eleven A.M. the battle died away. The Confederate attack was long delayed by want of ammunition, and it was not till afternoon that Hill and Longstreet were able to open a fearful artillery fire upon the Federal left-centre, at the apex of Cemetery Hill. After this had lasted some two hours came the supreme effort, the crisis of those terrible

three days. Three Confederate divisions—perhaps 15,000 in all, Pickett's leading—were launched at the enemy's stronghold. Pettigrew's, swept by a fire compared to which the cannonades of Waterloo and Leipsic were trivial,<sup>3</sup> faltered and gave way before a charge in flank. This exposed Wilcox, who also fell back, uncovering Pickett's flanks. Pickett's five thousand men had stormed the Federal lines, and held the conquered works in the teeth of fivefold numbers, only waiting for supports to break the Federal centre and achieve a decisive victory. But their supports were gone. They held on for ten minutes, embedded in the main body of two or three Federal corps—from 20,000 to 30,000 men. The column was completely enveloped, the brigadiers shot down, the soldiers falling by hundreds under the fire poured upon their front, flanks, and rear. The division was cut to pieces before Pickett gave the order to retreat. Even then he endeavoured to reform; but this delay was fatal to Armistead's brigade, which was cut off, its leader mortally wounded, and its main body compelled to surrender. The relics of a force which had displayed a courage never surpassed in the history of modern warfare<sup>3</sup> retired slowly across the valley. The overwhelming force that hung on their rear had no mind to pursue. One of three brigadiers, a similar proportion of field officers, all save one wounded, and one-third of the men, with but two of the thirteen colours that had been carried into the Federal lines, represented what was left of that unequalled division. The charge of the Light Brigade was less desperate and its trial far less prolonged. The bravest among the victors of Inkerman or Albuera, of Worth and Gravelotte, might envy the glory of Pickett's defeat.

Almost every battery and battalion in the Confederate army had in the course of the three days' fighting been deeply engaged and frightfully thinned. The flower of Longstreet's and Hill's corps had fallen back mangled, crushed and disorganised from those terrible heights. Ewell's divisions were still unbroken, but were distant from the point of danger, and could

<sup>3</sup> Chesney.




at most occupy the right wing of the enemy, the remotest part of the Federal army. The right and centre of the long, thin, over-stretched Confederate line was held only by the relics of the three divisions which had just recoiled in shattered fragments from Cemetery Hill, and those which had suffered scarcely less in the carnage of the previous day. Meade could have held Ewell fully engaged with two corps, and have hurled the other five, flushed with victory, upon the wasted remnant of the Confederates, covering their advance till they crowned the opposite slope by an overwhelming artillery fire. No troops in the world could after such a repulse have faced such a counter-charge. Lee and Longstreet rode along their line with serene courage, calm and even sanguine in manner and tone, but scanning with terrible anxiety the front of the enemy, while striving to restore at least the appearance of a line of battle along the northern heights.

The fight had been fought, the slaughter suffered on the glaxis, so to speak, of the great fortress held by the Federal army, under Meade's own eyes. No natural cover, no opportune darkness, concealed the condition in which the shattered Confederates had retired. It was the name of Lee, the antecedents of the Army of Northern Virginia, which manned the confronting heights with a non-existent force, screened the broken remnants of the defeated army, and so cowed the victors that they disbelieved in their own security, much more in the completeness of their triumph. Even the unprecedented capture of eleven Confederate colours failed to enforce the realities of the situation. Every moment gained was invaluable. Every Southerner capable of shouldering a rifle was recalled to duty by the encouraging words, the stirring appeals, the very presence of their beloved chief. Officers like Wilcox, broken-hearted at the flight of his brigade, and Pickett, mourning the ruin for which he was not responsible, found from their commander no words of reproach or complaint, no blame thrown even on those who deserved it.<sup>4</sup>

<sup>4</sup> Colonel Fremantle joined Lee and Longstreet at the very moment of the repulse, and was an eyewitness of the subsequent scene. (*Three Months in the Southern States.*)

'This is my fault,' Lee said. Yet his position was one of appalling peril. An instant attack on Longstreet must have thrown the Confederates off their line of retreat. It was absolutely in Meade's power to throw himself across the Confederate communications and compel Lee to fight a second offensive battle with a broken army half as strong as his own, with insufficient ammunition and with no choice but to conquer or surrender at discretion. But no Federal General who had learned his art on the battlefields of Virginia had nerve for such extremities. The Confederate army was left undisturbed throughout the afternoon, through the night, through the next day; while the long trains filled with captured supplies, the ammunition and the guns were slowly removed from the rear, and, as the roads were cleared, followed by the whole of Ewell's corps. Hill and Longstreet remained quiet, burying their dead and tending their wounded in face of threefold numbers. And Meade inferred from the firmness of the front presented to him that Lee was taking up a new line and preparing for a second battle!

His cavalry should have ascertained early on the 4th that the roads to the rear were crowded with Confederate trains, and before evening that Ewell's position was deserted. That night, by roads deep in mud from heavy rain, and cut to pieces by the trains that had preceded them, the Confederate right and centre fell back. Only on the morning of the 5th Meade learned that no enemy remained in front of him. Even then only one corps was ordered to follow, and that corps retired on coming in contact with the Confederate rear-guard. It was not till the 7th that Meade ventured to break up his camp. Then, instead of following the retreat, he moved in the direction of Antietam, probably with the idea of intercepting the enemy, who had already gained a two days' start. Kilpatrick's horse had captured some of Ewell's waggons, and even headed his column; but, while plundering, Stuart fell upon them, recaptured the waggons, and beat off the Federal cavalry in two or three sharp skirmishes. Meantime the new levies of Pennsylvania, under a very competent



General, were closing on the Confederates from the north, while Meade was gathering his forces for an attack from the east, and the swollen Potomac lay on their rear to the west and south. Disastrous news poured in from all quarters; from Vicksburg, from Ohio—where Morgan, the most daring of border guerillas, had sustained a severe check, and was shortly afterwards defeated, captured and treated—of course with Mr. Lincoln's permission—not as a prisoner of war, but as a felon.

A yet more disgraceful act touched Lee to the quick. His son, W. F. Lee, had been left badly wounded at Beverley. A force was sent to surprise and capture him, for the express purpose of avenging on him any retaliatory measures taken by the Confederates. What would have been thought if the latter had kidnapped Lincoln's son and hanged him in retribution for one of the numerous cold-blooded murders of citizens and soldiers sanctioned by his father? The capture of General W. F. Lee bears an ugly likeness to that of the Duke of Enghien in intent if not in result.

Followed at a respectful distance by Meade, Lee had entrenched himself not very far from Antietam in a position about seven miles in length, covering the bridges he was constructing and the fords which would be available when the swollen Potomac should have fallen. On July 12 a Federal council of war declined the hazard of an attack, and on the 14th they found that the enemy had crossed the river at his leisure. Hill's rearguard taught a sharp lesson to the Federal cavalry, repeated on the 18th by Fitzhugh Lee. The Virginian army reoccupied the position it had held after evacuating Maryland in the autumn of 1862 and Meade kept the Potomac between himself and an enemy for whom the ablest Federal commanders always entertained the most distant respect.

## CHAPTER XVII.

## VICKSBURG.

Grant's Generalship—Importance of Vicksburg—Attacked in the Wrong Direction—Change of Base—Confederate Difficulties—Fall of Jackson—Assaults, Investment, and Fall of Vicksburg—Devastation—The Starry Cross.

I VENTURE to hold that the concentration of interest and attention on Richmond was the result of a popular illusion. That illusion was shared by many more competent judges ; but probably most critics, civil and military, have been surprised to find it avowed by General Grant. He surely was not the man to underrate the comparative importance of the long series of operations by which the Confederacy was twice dissevered, and the Armies of Tennessee and of the Mississippi, whose names still recalled their original position on the left of the Southern line of defence, ultimately driven in upon the rear of the right. General Grant avows, in his posthumous memoirs, that he regarded the campaigns on the Potomac as the primary and decisive part of the Federal operations, at a time when his own successes on the Mississippi had brought about what—failing some miraculous change of fortune, or some unreasoning access of despondency in the North—must be 'the beginning of the end.' By one of the most extraordinary coincidences in history, the same day—the 'name-day' of the Union, which commemorates with appropriate speeches and fireworks, not the opening or the close of the Revolution, not Yorktown or Bunker's Hill, but the ill-timed bombast of Jefferson's Declaration—witnessed the retreat of Lee after the single victory of the Ever-Vanquished Army of the Potomac, and the culmination of the long and chequered struggle waged for the control of the Mississippi.

In each case the 4th of July characteristically marked not a victory but its formal acknowledgment.

At the commencement of 1863 the Confederates, with a force which Grant greatly exaggerates, still held the central course of the river with a strong grip. Two powerful fortresses, Vicksburg and Port Hudson, still, as it were, bridged the passage between Arkansas and Mississippi. The Federal gunboats, built expressly for such service, with enormously powerful machinery below the water line, and guns more formidable than the world had ever seen, could run the gauntlet of the Confederate batteries. But to transports or storeships, to troops and supplies, the river was practically closed. These two fortresses, of which Vicksburg alone was singly dangerous and powerful, were the object of the best concerted and best carried out operation yet undertaken by the Federal fleets and armies; a scheme worthy of the General who had broken the first line of defence at Fort Donelson, and wrested from the Confederacy the whole of Middle and Western Tennessee.

Grant's view of that first success does not enhance our estimate of his strategic survey—failing as he does to see any reason for the abandonment of the extremities of a defensive line whose centre had been broken by an enormously superior force. Nor do his battles, mostly won by mere brute force, and often lost in spite of it, indicate a great tactician. He was not, seemingly, a soldier by taste or a great master of military science. He owed his later opportunities to the temper which had saved him from offending such masters as Halleck, Stanton and Lincoln, till he was able to extort from them the unlimited means and unfettered scope which made ultimate success inevitable. His Virginian campaigns display little merit except tenacity; his Western successes suggest the General born, not made—a Cromwell rather than a Wellington or Soult; the practical common sense, the clearness of thought and the instinctive mastery of military geography on the grand scale, of the comparative importance of particular points and the effect of special conditions, which

in elder days made successful warriors of men who never served an apprenticeship in war—which mark the military statesman rather than the strategist. He saw that Vicksburg was the key of the Confederate position in the West, that its fall would be a heavier blow than the loss of New Orleans, and that it could be taken only from the rear. He saw, moreover, that to reach its rear was a matter of extreme difficulty.

Its immediate vicinity afforded abundance of firm, dry and high ground unbroken by serious obstacles, but both to the north and south it was protected, though at a considerable distance, by the most difficult country through which a modern General ever was able to carry a numerous army. On the north especially that country was intercepted by deep narrow streams closely overhung by thick woods, through which an army based on Vicksburg might push forward skirmishers and light artillery, rendering the navigable watercourses impassable even to the powerful flotilla on whose zealous and well-concerted co-operation Grant confidently and justly relied. Worse than the streams were the bayous—the local name given to the long river-like lakes formed sometimes by the deserted bed of the Mississippi, sometimes by the overflow of its waters in rainy seasons; often of great extent, but seldom deep. Grant groped his way, as usual, through repeated failures. Several attempts were made, now to dig navigable canals, now to clear a way along the narrow watercourses; but the canals proved useless, and the gunboats, after enormous labour and innumerable perils, landed themselves in a *cul de sac*. On one occasion a whole squadron were checked by a few infantry and light guns in a stream too narrow to allow them to turn. They had been permitted to advance unopposed to a point from which retreat seemed impossible, and it was with extreme difficulty that, by the aid of the land force, they backed their way to a position of safety.

Grant made up his mind at last that the rear of Vicksburg must be reached by landing far to the south, pushing eastward to Jackson, and fighting his way west along the line of

railway which connected the two cities, till established on the high ground immediately outside the landward defences of Vicksburg. Fortunately for him, the main Confederate army was far away. He was encountered only by the garrison and such scattered forces and new levies as Joseph Johnston, who had just been charged with the chief command in the West, could bring to their support. Grant moved down the western bank till off Grand Gulf, a post between Port Hudson and Vicksburg, guarded by a small Confederate force. Here he crossed the river by aid of the fleet, and with a compact body of more than 50,000 men, afterwards largely reinforced, made his way to Jackson, meeting and beating in detail the small bodies that attempted rather to delay than to bar his route. Johnston's position was eminently embarrassing. He was in supreme command of the Armies of the Mississippi and the Tennessee, the latter concentrated under Bragg at Chattanooga, the other under Pemberton for the defence of Vicksburg. The magnitude and geographical extent of his charge deprived him of immediate control, and gave a dangerous independence to the subordinate commanders. Without withdrawing Pemberton's whole force from Vicksburg he could make no effective resistance to Grant's march upon Jackson; neither could he abandon that city, with its manufacturing arsenals and magazines and its important railway lines, without a struggle. He was compelled, with less than half Grant's strength, to fight a hopeless battle, which ended, as it only could end, in losses he could ill afford and in the occupation of the town. The city was burned; the arsenals, magazines and factories by order, the rest through that license which had long characterised the Federal armies of the West.<sup>1</sup>

<sup>1</sup> The burning of Jackson took place under Grant's own eyes, but his narrative entirely conceals the fact. He relates only what was done by order, some of which was questionable enough. Happily a more trustworthy and impartial witness entered Jackson as the Federal army left it, and Colonel Fremantle's testimony puts it beyond doubt that Jackson was as completely sacked and destroyed as time permitted. This signal instance of 'suppression' confirms the estimate which every critic familiar with Sherman's and other

With the fall of Jackson the issue of the campaign was practically decided. Johnston with some 12,000 men had been driven to the northward. Pemberton with a total of 30,000, of whom at most 20,000 or 25,000 might have been brought into the field, was covering Vicksburg from the east. The only chance of the Confederates was to combine these two armies, and this could hardly be done without uncovering Vicksburg. Pemberton, in charge of that city, with its all important position, with its magazines and artillery, thought of it alone. Johnston saw that nothing but a victory in the field could permanently save either Vicksburg or its garrison, and was anxious that the fall of the fortress should not involve the capture of an army. Only the promptest obedience that a soldier could render, such obedience as Sherman more than once rendered to orders of which he decidedly disapproved, could have carried out the concerted movement intended by Johnston. Pemberton hesitated till it was too late to obey. Separated from Johnston, he gave battle, was overwhelmed by Grant's numbers, and after a stubborn contest was driven back with heavy loss upon the city. Johnston again ordered him to abandon it. Supported by a council of war, Pemberton again refused to obey, and the enemy closed on Vicksburg.

Grant slurs over in a single paragraph the disasters that

contemporary memoirs will, I think, form of Grant's. He *acted* when Northern feeling applauded every cruelty, every affront of which 'rebels' were the victims. He shared those passions, and indulged them to the full. He *wrote* when they had died away, and the rising generation were ashamed to be told that their fathers had made war after the fashion of Tilly and Louvois. His *Memoirs*, therefore, are essentially apologetic in tone and character. Readers guided by their memories of the time will read between the lines of Grant's and Sherman's narratives much that they carefully avoid to tell. The rising generation should study them with the distrust suggested by the fact that, in the one case where Grant's story can be confronted with that of an experienced English military eyewitness, it stands convicted of essential misrepresentation.

One private house was saved by the courage of its owner. He sat in the verandah with a double-barrelled gun across his knees, and as the incendiaries approached told them, 'I shall never be more prepared to die than now. There is nothing to prevent your going into my house, except that I shall kill the first two who move. Now, gentlemen, walk in.' They walked out.



followed ; disasters brought on by distinct blunders of his own. He accuses himself of yielding to the temper of his army, of twice flinging away hundreds of lives in attempts he knew to be futile. No General in the Federal service was less likely to be guilty of that dereliction of duty. Another and much more probable account ascribes his mistake to that exaggeration of their successes, that habit of measuring the enemy's quality by their own, which, till corrected by bitter experience, characterised the subordinate chiefs of the Western army, Sherman perhaps excepted. On May 18 Pemberton's forces, numbering according to Federal accounts about 20,000 effectives, with thirty-six siege guns and ninety-two pieces of artillery, were shut in within the breastworks of Vicksburg. Believing the garrison to be demoralised by defeats in the field, Grant ordered an immediate assault. It was made on the 19th, Sherman's corps leading the way, and Grant learned in a few minutes that the spirit of the Confederate army was still unbroken. Sherman was driven back with heavy loss, and the supporting corps never came near enough to the Confederate lines to create a diversion in his favour. Another assault was ordered at ten A.M. on the 22nd, preceded by a tremendous bombardment from all the guns of the army, while Admiral Porter with the heavy artillery of the gunboats engaged the water batteries, thus keeping the whole of the garrison on the alert and confining them to their posts. The assault was made all along the line, but principally pressed at three points, at all of which the Federal troops reached the ditch but could go no further. M'Clelland vaunted that he had 'part possession' of two forts, and thereby induced Grant to renew an attempt that had already been defeated, enhancing the utterly useless loss of life.

The Federals, twice badly beaten, had no stomach for any more such fighting. With a powerful fleet, and an army of 70,000 men with 248 guns, Grant fell back on the siege tactics of Sparta, and carried a line of circumvallation right round the defences of Vicksburg. After this Johnston could do nothing for the relief of the city. An attack by 25,000

men on 70,000 strongly entrenched, even were it supported by a counter-attack of 15,000 men from within the lines of Vicksburg, could only have led to useless slaughter. No magazines the South could have collected would suffice to feed a total of more than 40,000 men, women and children for many weeks. So narrow was the space within, so searching the enemy's fire, that both soldiers and citizens were driven to dig caves in the clayey bluffs and crowd into these improvised casemates. After five weeks of terror, slaughter and starvation, utterly worn out and hopeless of relief, the garrison surrendered. The total number of men paroled exceeded 80,000, but this included every man, sick or wounded, soldier or volunteer citizen, who had ever been able to hold a musket. They were paroled not out of generosity, but because Grant hoped they would return to their homes, whereas if sent north and regularly exchanged they would have passed *en masse* into the Confederate army. Mr. Davis, who knew what actually occurred, attests the eagerness of the Missourian troops, who formed the flower of the garrison, to return to active service. They, like all Southerners who had experienced the rule of the enemy, would rather have died than voluntarily returned to such subjection.

Grant had deliberately wasted the whole country within his reach on his march from Jackson to Vicksburg, had deliberately destroyed 'all that could be useful to an army,' that is, every atom of food, all clothing, all cattle and swine, standing crops, within an area of some 800 square miles. What troops so employed did beyond the scope of their orders may be well imagined.<sup>2</sup> The whole country had been as cruelly wasted as the Palatinate by 'the Most Christian Turk,' the people wilfully reduced to absolute starvation, the torch applied not merely to cotton, stacks and barns, but to dwellings. Appalled by the consequences of this merciless havoc, mere

<sup>2</sup> Sherman's incidental mention of exceptional instances and examples, Grant's language when off his guard, the passionate letters and orders of the former, and Grant's significant instruction about the Yazoo country (*Memoirs*, p. 543) fully bear out the statements of writers who had not their motives for suppression.

humanity compelled its perpetrator, on his return, to restore to the mothers, who rather than let their children die of hunger came to implore his mercy, some scanty portion of his spoil.<sup>3</sup> Such was the universal practice of the Western commanders, and of every General trained in their school; of Sherman, Thomas, and Sheridan, as of civilians like Banks and mere destroyers like Milroy, Turchin and Hunter; such the policy that everywhere attested the 'humanity' of the North and its rulers. The usages of war, the righteous and necessary rule of retaliation, required that the Confederates should have applied the torch throughout Pennsylvania. But neither Lee nor Davis would sanction reprisals as cruel as they were well deserved, and no invaded country suffered so little as the North at the hands of those whose families had been reduced to indescribable misery by Northern soldiers. To check these profitless cruelties and endeavour by threats of reprisal to compel the invaders to conduct the war in a more soldierly fashion, a conference had been proposed by the Confederate Government, which was to have been represented by Vice-President Stephens. But this offer arrived at Washington on the morning of July 4; it was not answered till the news from Vicksburg and Gettysburg had been received, and was then rejected with scorn.<sup>4</sup>

<sup>3</sup> Indirectly admitted by himself, i. 577. To those who think while they read, the awful and systematic devastation that paragraph implies is horrible to realise.

<sup>4</sup> Lincoln's personal responsibility is evident from this incident. See Davis, ii. p. 591, *et seq.*, for general charges against the Federals, which they refused to investigate and dared not deny; pp. 629, 634, 709-717, *et passim*, for special instances of their usual practice. The truth is not, of course, to be found in narratives like those of Grant and Sherman. But it is to be read between the lines, and in the temper of Sherman's orders and despatches; it is told boastfully in the narratives of Generals and staff-officers who wrote within three or four years of the time, and in contemporary newspapers; and it is fresh in the memories of those who saw and suffered, and of those who, like myself, followed closely the accounts of the exultant destroyers and of their victims. No one who knew the facts, and has a reputation to lose, will dispute the strict accuracy of the above statement. The facts were too notorious and too fully and vauntingly reported to remain unknown to the President. If he had hitherto supposed that he was only applying the extreme usages of war, the treatment of Pennsylvania must have undeceived him.

These two great victories saved the Republican Administration from the reaction which threatened a power now resting rather on the bayonet than the ballot. Volunteering had come to an end ; a new conscription had been ordered, but it proceeded very slowly. Actual resistance had been offered in several places, and in New York the attempted draft had been brought to a standstill. Now that Lee and Johnston were both paralysed, at least for offensive operations, 80,000 men under the notorious General Dix were sent to occupy the city, and from that time forth it was held by military force, in defiance of the protests of the State Government and of the Constitution which Lincoln was sworn to uphold.

While Grant's enormous force had closed on Vicksburg, Banks, advancing from New Orleans, had beleaguered Port Hudson. He had made little way, nor was it necessary. As soon as assured of the capitulation of Pemberton, Port Hudson was useless and its garrison surrendered. From this moment, though despatches and individual officers might cross the river, though the Confederates still maintained a vigorous defence in Arkansas and especially in Texas, they were isolated from the Government at Richmond and from the main Confederate force, and thrown entirely on their own internal resources. Blockade-runners brought them arms and ammunition ; their forests and prairies were almost impenetrable ; their population, if averse to discipline, as warlike as any in America ; and the army of Kirby Smith, who had been placed in command of the trans-Mississippian Department, was the last that upheld the honour of the Starry Cross.<sup>5</sup>

<sup>5</sup> The original flag of the Confederacy was the ' Stars and Bars,' a red flag crossed by a white stripe one-third of its width, with a blue ' Union ' on which the seven stars of the first seceding States were arranged as a wreath or coronal. In heraldic language, ' gules a fesse argent, with a wreath of silver mullets on a canton azure.' This proved indistinguishable from the hostile flag, half-seen through the smoke and confusion of battle, half-furled or drooping. Many Western regiments adopted a blue flag, liable to be mistaken for a Federal banner with the further half torn or shot away. In the Virginian army Johnston is said to have recommended the battle-flag carried throughout the later years of the war ; a blue saltire or St. Andrew's cross with thirteen stars,

fimbriated white on a crimson field. The navy required a flag whose reversal conveyed an unmistakable signal of distress. The Starry Cross, however turned or reversed, presented the same appearance; and hence the necessity of placing it 'in dexter chief,' that is, next to the staff and uppermost, upon a white field. The white ensign with the crimson ground of the battle-flag showed the red and white, said to have been the party colours of secession. The 'Lone Star' was the emblem of Texas; whence the 'bonny blue flag' with a single silver star had become the popular badge of Southern feeling. But the theory of State sovereignty required the thirteen representative stars displayed on a blue ground, and hence the Starry Cross at once caught the fancy of the people and the army, and the first Virginian victories ensured its adoption in the naval form as the national emblem.

## CHAPTER XVIII.

## CHICKAMAUGA.

Burnside sent to Knoxville—Longstreet joins Bragg—Insubordination and Quarrels—Battle of Chickamauga—Grant to the Rescue—Ruinous defeat of Bragg at Chattanooga.

THE 'Valley of Virginia' is enclosed between the Alleghany Mountains on the north-west and the Blue Ridge on the south-east. These ranges run parallel for several hundred miles from the Potomac, where their course is south by west, to the southern border of Tennessee, where the trend is west by south. Winchester lies at the north of the upper part, known as the Valley of the Shenandoah, and Chattanooga at the southern entrance. The southern third of the Valley forms that district which is known as Eastern Tennessee.

The battle of Murfreesborough had paralysed for nearly six months the army of Rosecranz. At the close of June 1863 Bragg with 30,000 men confronted Rosecranz with twice that number and a powerful force of cavalry on the Duck River, a tributary of the Tennessee, near the south-western skirts of the Alleghanies. The despatch of Burnside with an independent army down the Valley towards Knoxville, though he lingered as if reluctant to complete the concert which should have enveloped the Confederates, gave Rosecranz courage to advance; and Bragg fell slowly back before him, each position taken up being turned and evacuated, until he crossed the Tennessee, finally abandoned Chattanooga to the enemy, and retired into a hill country formed by three or four parallel ranges of heights, from sixty to a hundred miles in length, which ran thence due southward. Rosecranz and Burnside were alike dilatory and cautious. The latter, despite the

urgent orders of Halleck, seemed in no hurry to exchange an easy and independent command for a subordinate place in front of a dangerous enemy, and under a chief even less successful than himself. The former halted to rest, entrench himself, await reinforcements and collect supplies; and it was the middle of September before he was ready to follow up Bragg. Meantime the danger of the situation had driven the Confederate President and Commander-in-chief to a very daring measure. Chattanooga was connected by a railway line of 140 miles in length with Atlanta, the second city of Georgia, the central depôt in which were collected the principal arsenals, foundries and military factories of the Confederacy. If Rosecranz knew his business he would strike for this all-important point, and he was strong enough to overpower Bragg by mere force of numbers. Aid must be spared to the latter, and Meade was so obstinately inactive that it might be spared, though it left Lee with scarcely one-third of the force opposed to him—not one-fifth of those which were gathered round him in Northern Virginia. The Confederate Commander-in-chief consented to send to Bragg's aid his eldest, ablest and most trusted lieutenant, with the first corps of the Virginian Army.

Longstreet's troops were invaluable; more valuable still, in the actual circumstances, was the presence of the General under whom they had served from the first. Bragg's authority in his own camp was not such as to enforce the prompt and cordial co-operation of his lieutenants, of whom D. H. Hill and Polk were especially at variance. Longstreet was Lee's right hand, loved and revered throughout the unrivalled Army of Northern Virginia; to him and Jackson the admirable discipline of that army was mainly, and doubtless justly, ascribed. Lee, with the clear-sightedness of consummate military genius, had that higher clearness and undistorted singleness of view which belongs to absolute unselfishness. He saw that Chattanooga and not Northern Virginia was at this moment the critical point, felt that he could hold his own with 45,000 men at least for the present, and willingly despatched

to the support of Bragg a colleague whose renown must give him ascendancy in any Confederate army, and the flower of a soldiery that had no superior in the world. Burnside barred the direct road with superior numbers, and Longstreet therefore had to move by a circuitous route.

On September 19 his advance under Hood joined Bragg in Georgia, about twenty miles south of Chattanooga. Rosecranz had been moving through defiles and tangled woods, with a want of precaution due probably to his enormous superiority of numbers and his ignorance of the reinforcements sent to his antagonist. One of his corps had marched almost into the centre of the Confederate lines, and escaped only because Bragg's endeavour to occupy the pass through which they had advanced failed through some characteristic mischance or disobedience. On the 20th the Federal army was strongly entrenched on Missionary Ridge, the easternmost but one of the ranges, with the Chickamauga river in its front. Bragg's army was divided into two wings, the left commanded by Longstreet, the right by Polk. Longstreet had only a portion of his own corps and three Western divisions, to whom he was personally unknown. Polk with five Western divisions, two of which, including Breckenridge's, the best of all, were under the command of D. Hill, an eminently unlucky officer, was to attack at daybreak. Through some want of concert, to be expected from the terms on which Hill stood with Polk, three or four hours were lost, which were diligently improved by the Federals in the completion of their entrenchments. The Confederate right, encountered by a shattering fire, were unable to force a position covered by woods which concealed the exact arrangement of the enemy. Scrambling up a steep slope obstructed by abattis, they remained for a long time under a fire of artillery and infantry to which they could make no reply, and soon after noon were driven back almost to the banks of the Chickamauga. But the Confederate left under Longstreet broke and routed the Federal right, and pressed on with such vigour that the whole right and centre of the enemy were soon a mass of panic-stricken



fugitives. Had Polk then resumed the offensive, the Federal army must have been destroyed. But Bragg declared that none of his divisions on the right could be brought to charge again. Longstreet, pivoting his troops on Polk's left, wheeled them upon the victorious Federal left; and after long and obstinate fighting, when Polk renewed his attack at five P.M., the shattered remnant of the Federals who had stood fast under Thomas were driven from the field, saved from utter destruction only by the arrival of powerful reinforcements at the close of the day; which, but for Bragg's two fatal delays, would have arrived only to fall a prey to the victors. Rosecranz lost thirty-six guns, an immense quantity of stores and small-arms, 12,000 killed and wounded and 5,000 prisoners. The Confederates purchased their victory dearly, losing 12,000 killed, wounded and missing. But want of provisions delayed Bragg's pursuit till his trains were brought up from Dalton. Rosecranz fell back into Chattanooga, where he was almost beleaguered. The Confederate cavalry under Wheeler and Forrest swept round his position and threatened his communications, but were driven off by superior forces from Nashville.

Meantime reinforcements were pouring in to the rescue. Hooker with some 25,000 men from the Army of the Potomac, Sherman with an equal force from Vicksburg, Hurlbut with a third army, were closing in upon the Confederates; and General Grant on October 18 received the command of the entire Federal armies in the West, and appointed Thomas, who had commanded the left at the Chickamauga, to supersede Rosecranz. Grant's total strength must have far exceeded the 100,000 at which it is stated, and Bragg was compelled to contract his position and hold the hills overlooking Chattanooga. Believing his own force sufficient to check any advance of the enemy, he permitted Longstreet to move against Burnside at Knoxville. The superior numbers of the latter were ill-placed for concentration, and in several engagements on the 14th, 15th, 16th, and 19th of November, Longstreet drove the enemy back into Knoxville, and reinforced by some scattered bodies of Confederate troops, having captured 1,500 prisoners

and ten guns, shut up 20,000 men in the entrenchments round that town.

On November 27 he received news of the battle of Chattanooga on the 24th and 25th, in which Grant with more than 90,000 men had overwhelmed about half that number under Bragg, and driven them, after a heavy loss in prisoners and guns, broken and demoralised, into the interior of Georgia. This, the most decisive victory yet gained by the Federals in the open field, was not followed up, owing to the alarm inspired by Burnside's desperate position and the terror produced by Longstreet's 20,000 men. On the 29th the latter attacked the lines of Knoxville, held by a force equal to his own, and was repulsed with a loss of about 500 men. Meanwhile the Federal armies had been recruited by a call for 300,000 conscripts, a number equal to the total force of the Confederacy. Early in December Sherman moved up with a second Federal army, superior to Longstreet's, and effected his junction with Burnside. Before an enemy so strengthened, who nevertheless did not venture to press him closely, Longstreet fell back towards Virginia, and closed the campaign by a vigorous attack upon the Federal advance, in which he repulsed their cavalry, seized a large train of supplies, and once more retired across the Virginian frontier.

General Foster, an Abolitionist distinguished by his triumphs over the women, children and non-combatants of North Carolina, succeeded Burnside, and avenged tenfold on the loyal families of Eastern Tennessee all which their Unionist neighbours, as 'traitors to their State in its agony,' had suffered at the hands of the Confederates.

## CHAPTER XIX.

## CHARLESTON HARBOUR.

Seizure of Newbern and Port Royal—Destructive Raids—Attempts on Charleston—Signal Defeat of the Ironclad Squadron—Bombardments—Defence of Wagner—Of Sumter—Strength of the Federal Navy.

MEADE's army, after Hooker's withdrawal, clung to the defensive in spite of its huge numerical superiority. Lee spent the greater part of October in driving it from the Rappahannock to Manassas, by manœuvres similar to those which had brought Pope to ruin. Meade's character was the exact opposite of his predecessor's. He was no politician, no partisan, no braggart, and it must be added, no favourite of the Government, which bitterly resented his refusal to hazard his army for the ends of party. He fell back in good order, fighting a series of skirmishes in which, as of course, the retreating army had the worst of it; but covered his communications, and took up at last a position so close to Washington, so strongly entrenched and so vigilantly guarded, that Lee abandoned the idea of forcing or turning it, and fell back in his turn. So ended the critical year of 1863. The Mississippi River, Southern Louisiana, Missouri, Kentucky and Tennessee were firmly held by the invaders. East Virginia, North and South Carolina, Georgia, Florida, Alabama, Southern Mississippi, a broad belt along the coast of the Gulf and the Atlantic, formed the whole of the contiguous territory left to the Confederacy; nor was this territory intact. With their irresistible superiority at sea and their overwhelming numbers on land, the Federals had seized a strong position at Newbern, on the coast of North Carolina; Port Royal,

commanding one of the deepest navigable inlets between Savannah and Charleston; and St. Augustine and other places in Florida. The whole of the military population of that State—10,000 out of less than 80,000 men, women and children—was in the Confederate army. It is supposed that a levy *en masse* can at most bring one-tenth of the entire population into the field. Florida had contributed one-eighth of hers to the defence of the South at large, and was powerless against the invader.

The principle of action laid down by M'Clellan, Grant and Sherman, and nominally accepted by the Government, was that the power of the North should be directed, not to occupy cities or States, but to follow up the Confederate armies and crush them by force of overwhelming numbers. The practice was the exact reverse. Almost as many men were employed in holding down the people, in incendiarism, pillage and devastation, as in fighting. A force equal to that which held Gettysburg was dispersed at various points along the coast from Norfolk to Galveston, seizing points commanded from the sea and establishing fortified bases for marauding expeditions. From places like Port Royal and Newbern, as from Federal camps in the interior, light river gunboats or bodies of cavalry swept the defenceless country, drained of its entire population of military age; plundering, foraging, robbing; stealing watches, spoons, plate and feminine ornaments, negroes, cattle and poultry; destroying whatever they could not carry or did not want; burning houses and cornstacks, barns and stables, churches and colleges, and singling out as the special objects of destruction those which every other civilised invader spares—the dwellings of distinguished generals and statesmen, libraries, public and private, museums, State monuments and archives.<sup>1</sup> This was not all; they


<sup>1</sup> Sherman boasts in his orders of 'making a circle of devastation,' 'devastating the land.' See his despatches to Grant and Halleck, *Memoirs*, chaps. xxi. and xxii., as to his intentions in Georgia and South Carolina. I can bear personal testimony to the destruction of colleges and libraries. See also Davis vol. ii. p. 710 *et seq.*; Fremantle; Sheridan's *Report from the Valley*, and all contemporary records.

endeavoured permanently to destroy the irreplaceable gifts of nature and the great achievements of human genius and industry; cut *levées*, to drown hundreds of miles of the richest and best cultivated lands, and sank fleets filled with stones in futile attempts to close for ever the mouths of harbours and navigable rivers. In the Savannah River they resorted to more legitimate means of blockade by fortifying an island below the city.

Charleston, as the cradle of secession, the focus of Southern patriotism, the capital of the mother State of Calhoun, was the especial mark of an unsoldierly and wantonly vindictive malice. If accessible, it would long ago have shared the fate of Jackson. But city and harbour were strongly fortified; the numerous and high-spirited people and well-trained garrison were resolute to endure the worst horrors of war rather than share the humiliation and slavery of Baltimore, New York and New Orleans. On April 7, 1863, Admiral Dupont, with an enormously powerful fleet, of which seven were ironclads or monitors, to which not a single Confederate vessel regularly built for war could be opposed, attempted to enter the harbour. The latter was blocked by powerful obstructions and commanded by some well-constructed and well-armed batteries. The weakness of the place consisted in the vast extent of open ground in rear of the defences, on which a Federal land force might be thrown with perfect ease. The forts of Charleston were not like those unimpressible stone casemates which guarded the entrance to Sebastopol. Dupont's fleet was ten times stronger than that of the Allies, armed with incomparably heavier guns, and consisting of elaborately armoured ironclads, supposed to be simply invulnerable, and certainly not liable to be fired, like Lyons' ships, by a single shell. Their invulnerability was boldly put to the test. No ship was exposed to a severe fire for more than forty minutes, yet in that forty minutes the mighty fleet was completely defeated. So admirable was the Confederate aim that one monitor, affording the smallest possible mark on the surface of which two heavy guns could be placed, was struck

*nineteen times*—once every two minutes—below the water-line. Her appalled or unskilful crew only fired three shots in return, or one in thirteen minutes. Two others were so squarely hit that their turrets were jammed and a shower of nuts and bolts sent flying among their crews. The whole ironclad fleet displayed a signal inferiority in nerve and marksmanship. The fourteen guns which, as they admitted, they could bring to bear fired only 139 shots, whereas the seventy-six opposed to them fired 2,209. The Admiral made his way out of fire as fast as possible, sure that had the contest been prolonged for another half-hour every one of his vessels would have been sunk. They had not even made a decent fight.

Dupont was replaced by Admiral Dahlgren, perhaps the most skilful artillerist in the Federal Navy; and General Gillmore, with about 12,000 men and ninety-six guns and mortars, was charged to land on the 'islands' in the rear of the fortifications. On July 9, 1863, the troops were thrown ashore, while Dahlgren's fleet opened fire with 15-inch guns upon Fort Wagner, the outermost of the harbour defences. The walls were knocked to pieces. The outer works along the shore were carried as a matter of course. The Confederates lost sixteen officers and three hundred men, chiefly by the fire of the fleet. But on the next day an assault delivered by Gillmore's overwhelming force was met with dauntless courage and ignominiously repulsed. The enemy was driven to regular approaches. So completely were the works enfiladed by the enormous guns of the fleet, so terrible was the bombardment, that only two Confederate pieces could be served. Again the work was assailed by more than 6,000 men. Knowing his own troops, and appreciating the power of such a terrible strain upon the best soldiers, Gillmore supposed that the small garrison would hardly attempt to defend their shattered lines. He learned to know his antagonists better. The storming army, for it was no less, did its best. It advanced unmolested within two hundred yards of the parapet; then rushed forward under a heavy fire, and was hurled back with a loss of 1,200 men. Gillmore pushed on his approaches by sap and



regular siege works till, on August 9, after a fortnight's bombardment, the third parallel was opened less than four hundred yards from the works. But this parallel was exposed not only to the sharpshooters of Wagner, but to the fire of the batteries from Fort Sumter, and other points beyond the reach of the army, and which the fleet after its severe lesson dared not attack.

On the 17th Gillmore opened fire upon Sumter from twelve batteries armed with the heaviest guns, and threw 948 shot on that day and 876 on the next with great effect on the wall, three-fourths of the shells striking. Till the 23rd this tremendous bombardment continued. The guns of Fort Sumter were dismounted and its walls beaten to powder. The artillerymen were withdrawn, and a garrison of infantry placed to hold the ruin. On the 21st, despairing of progress by any legitimate method, Gillmore turned his heaviest guns at long range upon the distant city. He had been disgracefully beaten by a single outwork; he was appalled at the notion of assailing in detail the admirably constructed and mutually supporting batteries of which Fort Wagner was one, and directed his revenge upon the women and children of Charleston. A menacing rebuke from Beauregard arrested this unsoldierly proceeding.

On August 27 the trenches, protected by the fleet and unmolested by Fort Sumter, had been pushed within a hundred yards of Wagner, while guns twice as heavy as any till then employed in war continually played upon it. Calcium lights turned night into day, and on September 5 a new bombardment was opened, which reduced the fort to absolute silence and drove its garrison into their bomb-proofs. Forty *minutes* under a lighter fire had paralysed the hardy seamen of the Federal fleet: the garrison of Fort Wagner had endured a far heavier trial for *forty days*! No nerve could hold out longer. There was no hope that they could repulse another assault, and on the night of September 6 the fort was skilfully evacuated. General Halleck's unbounded praises of Gillmore's skill unconsciously reflect far higher praise on the little garrison

which had baffled that skill and those enormous forces at close quarters for so long a period.

Attempt after attempt upon the ruins of Sumter, by boats, by the fleet, by night and day, had been repulsed by a battalion of infantry. Another night attack, the ironclads closing on the defenceless fort, was yet more unsuccessful. One of the monitors ran aground and remained at daylight open to the play of the distant Confederate batteries, and the fleet only got off with considerable difficulty. Meanwhile Dahlgren and Gillmore boasted to one another that they would assault the heap of rubbish with the return of night. They had only to mount an earthwork without guns; but were repulsed with a loss of one-fourth of the men engaged. All the engineering genius of Gillmore and the perseverance of Dahlgren only served to bring into relief the superior ability and matchless tenacity of the Confederates. In the annals of the Federal Army and Navy there is no exploit comparable to the defence of Charleston harbour. It would not be easy to match it in the records of European warfare.

At the close of 1863 the Federal Navy consisted of 476 steamers, of which no fewer than 75 were ironclads, with 4,440 guns, a tonnage of 468,000, and 34,000 seamen. Except in the co-operation of Porter's gunboats with Grant's army in the movements preceding the siege of Vicksburg, this enormous force had achieved nothing so creditable as the signal failure of Dupont and Dahlgren, nothing but victories over undefended coasts and a few untenable batteries.



## CHAPTER XX.

## AUXILIARY FORCES.

Confederate Cavalry—Morgan and Stuart—Federal Cavalry Raids—English Neutrality—Confederate Cruisers, English and Home-built—Story of the *Alabama*—Treacherous Capture of the *Florida*—The *Shenandoah*.

It is impossible, without giving twice the space of this history to the Civil War alone, even to mention the innumerable combats, raids, assaults, sieges and other minor operations in which perhaps one-third of the total force of either belligerent was occupied. The mounted and naval branches of either service are thus placed at an especial disadvantage. To do justice to Stuart's corps required a volume as large as this. They necessarily bore a minor part in those grand operations, those marvellous battles, which give the Army of Northern Virginia a rank second to none in military history. But in exertion and fatigue, in incessant vigilance, in daily encounters with overwhelming odds, dashing exploits and desperate defences, more was required of them than of Longstreet's, Hill's and Jackson's 'incomparable Southern infantry'; and they were never found wanting. The infantry and artillery were allowed long periods of rest, the cavalry were required to be constantly on the alert. When their comrades were in quarters they were watching the front, flank and rear. Before the army moved they had to prepare its way by enterprises demanding—not only from leaders like Stuart, Hampton, the Lees, Imboden and Mosby, but from men whose names must of necessity be left in oblivion—valour, self-sacrifice, promptitude, presence of mind, skill in manœuvring, stratagems, venturous dashes and dangerous retreats, surpassing anything demanded from their comrades of the other arms.

The death of Pelham, the chief of Stuart's light artillery, while still a mere boy, was severely felt by the whole army and by the Confederacy at large. In a word, the cavalry were continuously engaged, scouting, skirmishing, fighting, not occasionally but daily, and yet scarcely more than one or two of their most brilliant exploits were of sufficient individual importance to be recorded or remembered. The same may be said of Stephen D. Lee, Forrest, Van Dorn, Morgan, and other chiefs, whose forces, chiefly consisting of cavalry, bore a very important part in the campaigns of the West, and especially in the hopeless defence protracted for nearly two years after the fall of Vicksburg.

The characteristic ingenuity, humour and foresight of Stuart and Morgan deserve especial mention. The latter, without achieving anything that really affected the issue of a campaign, worried, baffled, and harassed the Generals opposed to him, selected for the most part for other than military qualities and duties; and kept not Kentucky alone but Ohio in a constant alarm, not less exasperating for the strong tinge of ridicule that attended it. The mother wit of both these chiefs suggested to them at the very first the facility with which the enemy's extensive telegraphic lines might be turned against himself, and each kept a skilful telegraph operator in close personal attendance. Stuart more than once telegraphed his whereabouts to Washington, driving the enemy to send large forces in pursuit, thus opening his route and exposing the depôt on which he meant to pounce. Once he complained in his own name of the wretched quality of the mules supplied to the Army of the Potomac. They were so bad that they were not able to keep up with his troops, and he was therefore compelled to abandon the captured artillery! Morgan, moving with a rapidity which seemed utterly incredible to his antagonists, and seizing a telegraph office fifty miles from the point at which he had been last heard of, sent misleading information, despatched superior forces in the wrong direction and summoned detachments within his clutches, ordered trains fitted with the supplies he most

needed to be sent to the General he had just routed or beguiled, waiting only to acknowledge their arrival before he appeared at some incredibly distant point and repeated the manœuvre.

The character of Stuart's cavalry has been much misunderstood even by competent military critics. It consisted of the very flower of the Confederate youth. No small portion of his privates were, like those of Claverhouse, or the Life Guards of Charles II., gentlemen by birth and education, most of them owning their horses, skilled and venturesome riders, accustomed to the use of firearms and quick to learn that of the weapons proper to cavalry. The cavalry of Stoneman and Pleasanton, though superior in number and better armed, needed long training and experience in the field before either horses or men could be trusted in close encounter with the chosen chivalry of Virginia and the Carolinas. Their inferiority in practice, physique and morale made them averse to deliver or to stand a charge. Relying on this characteristic, Stuart, Hampton and Fitzhugh Lee preferred whenever possible to charge sword in hand, and most of the cavalry encounters in Northern Virginia and in the Shenandoah Valley were decided by the sabre or revolver. At the same time the cavalry on both sides were trained to act as dragoons in the old sense, and on difficult ground three-fourths of the command would dismount and act as skirmishers on foot, the other fourth holding their horses as closely in the rear as was possible without exposing them to fire. These tactics were dangerous, especially in presence of superior numbers, or of an enemy whose horsemanship and marksmanship made up for want of numbers. A flank attack upon the horse-holders either drove the skirmishers to a headlong retreat, or cut them off and compelled their surrender.

The cavalry forces of the West, and especially that of Grant and Sherman, were more properly mounted infantry. Stuart's famous raids were directed against the communications and magazines of an enormously superior army, protected by strong infantry and cavalry guards. Those of

Sheridan, Wilson, Averill and Kilpatrick had generally for their object destruction, devastation and suffering of every kind, to be inflicted upon communities whose men were all in the hostile ranks. Kilpatrick boasted that he had left along the whole track of Sherman's famous march naught but brick chimneys to mark where the dwellings of rich planters and thriving farmers had once stood. I can avouch from my own eyewitness the claim of Sheridan to similar honours in the Valley of the Shenandoah.

The capitulation of Washington and the mock arbitration of Geneva require that the truth as to English neutrality should be told with some care, if this work is not to stereotype a fiction which has already obtained too general acceptance even among Englishmen. The propriety of the Queen's proclamation of neutrality has been recognised by every jurist competent to form a judgment on the subject. It was issued when two great nations stood face to face; when the Confederacy embraced a territory almost as large as that nominally remaining in the Union; when Maryland, Kentucky and Missouri had manifested a determination to throw in their lot with the South should Mr. Lincoln venture upon a war of conquest; when the Federal Government, though repudiating the name, had engaged in acts of maritime war which, had not England recognised the belligerent rights of the South, would have involved her in collision with the North. If his Government were not at war, Mr. Lincoln's blockade was an outrage, and the first English ship captured at sea or in Southern waters must have been reclaimed by force. But the neutrality of the great naval Powers—France followed the example of England—was as favourable to the North as an honest neutrality well could be. Upon a great number of exceedingly important points neutrality admits of two equally legitimate interpretations. The same privileges may be granted to or withheld from both belligerents. It is the interest of the stronger belligerent that they should be withheld from both, and this was the course taken by the English Government.

The real complaint of the North was that England *was* neutral. As presented by statesmen and diplomatists, the reclamation was simply unintelligible. Its meaning was explained by irresponsible journalists and passionately urged by English partisans. The North fought to emancipate the slaves ; so said Mr. Lowell and the Republican press, so said the *Spectator* and the *Daily News*. Mr. Lincoln contradicted his admirers with very scant courtesy. For the rest, the Northern claim to English sympathy was supported by language unprecedented in diplomacy, language which Mr. Seward did not use to the really unfriendly Government of France, language which only Lord Palmerston's reputation could have induced England to endure. The North bought enormous military supplies, hundreds of thousands of rifles, cartridges and percussion caps by the million, enticed thousands of British subjects within her jurisdiction, and then forced them into her armies. She tried to contract, not for unarmoured merchantmen as well suited for blockade-runners as for cruisers, but for ironclad ships of war, and the contract only broke down on the question of terms. Yet Northern consuls complained that Southern agents purchased arms and ammunition, and the English Government allowed its customs officers to interfere with the shipment of these purchases, while one of the greatest English firms was notoriously shipping the same cargoes in much larger quantities for New York and Boston. The North blockaded English ports, seized and condemned vessels trading between England and her colonies in defiance of every law of maritime war, violated the neutrality of Southampton itself, and repeatedly fired shot and shell so far within the maritime league off West Indian Islands that they actually fell on British soil, to the imminent danger of the Queen's subjects.

England had the right to admit the vessels of war of both parties, with their prizes, to coal and refit in English ports. This would have been a heavy blow to the North, an invaluable service to the South. But the Government excluded prizes, and imposed every restraint that harassed the blockaded South

without inconveniencing the cruisers of the North. Whenever America had been at war she had fitted out privateers in neutral ports; when neutral she had allowed Americans to build, arm and fit out privateers, manned with American crews, to prey on the commerce of England, Spain and Portugal. She had admitted their prizes and grown rich on their plunder. The South never equipped or armed a single vessel in English ports.<sup>1</sup> The *Alabama* was built by Messrs. Laird of Birkenhead, and left Liverpool in August 1862 as an unmanned, defenceless vessel. The *Oreto*, afterwards called the *Florida*, had been purchased as an unarmed merchantman, sent to Nassau, there detained, tried and released in the absence of any shadow of proof that she was meant for anything else. Both these vessels received their arms, their crews, everything that converted them from blockade-runners into ships of war, far outside of English jurisdiction. The *Florida* actually entered Mobile without having fired a shot. The case of the *Shenandoah* was even clearer. She was a sailing vessel built as a merchantman, purchased and sent out as such, and again armed and manned at a point wholly outside of British jurisdiction. According to American precedent, every one of these ships might have been armed, manned and sent out from Liverpool or Glasgow after a mere affectation of enquiry. By international law as it then stood, Englishmen had a right to sell any number of unarmed vessels to the Confederate Government, and could not be responsible for anything that occurred after they left English ports. By the law of nations, to which France or Germany might have appealed, the offence took place when the vessels were armed and manned, and that offence, in the case of the *Alabama*, was committed in Portuguese waters. The law was simply this, that every State was responsible for the departure of an *armed expedition* from her territory to attack a Power with which she was at

<sup>1</sup> See the innumerable blue-books and despatches of the time, and Bulloch's *Secret Service*. For illegal pursuit and firing on British land, *Countercase*, pp. 63-5, 109-10. That the balance of aid given was greatly in favour of the North—Russell to Lyons, March 27, 1863.

peace. Between the close of the war and the Treaty of Washington, the Federal Government permitted a piratical army to gather openly in the Northern States for the invasion of Canada, and made no attempt whatever to prevent or restrain it. England claimed that this open and unquestionable outrage should be submitted for arbitration along with the 'Alabama claims,' and America refused. England offered to submit the American claims to arbitration, leaving both law and facts to the judges; the American Government confessed that it had no case by insisting that three new and unheard-of rules should be laid down as the basis of the judgment. In view of these facts the so-called Treaty of Washington was a mere capitulation, the so-called arbitration disguised a surrender; and neither the one nor the other has any bearing on the historical question, the *bona fides* of English neutrality.

When attempts were made to build ironclad rams for the Confederacy the case was wholly different. It was exactly parallel to that of Genet's privateers, except that the ironclads were not, like his vessels, armed and manned. But the English Government, with a perfect loyalty in signal contrast to the previous and subsequent conduct of America, held that the rams were *ipso facto* armed before a single gun was put on board. It was the business of the American cruisers to capture unarmed merchantmen designed, or supposed to be designed, for the Confederate service. The rams might have defended themselves from capture, and they were accordingly arrested.

During the first twelve months of the war, several small Southern cruisers—merchant vessels picked up by chance and feebly and hastily armed by the Government or by individual owners—anticipated or evaded the blockade. They made a few prizes, but, utterly unable to cope with a third-class Northern merchantman roughly adapted to naval service and carrying effective guns, were speedily sunk, captured or laid up. Two only—the *Sumter* and the *Nashville*, under Captains Semmes and Peagrim—achieved enough to alarm the merchant marine of the North, to send up the rates of

insurance, drive the enemy's commerce to seek refuge under neutral flags, and earn a place in history. Even their career was very brief. The former put in to Gibraltar, was caught and blockaded there, and finding escape impossible was dismantled and sold. The *Nashville*, having burnt one or two prizes on her way, entered Southampton harbour, and was followed thither by the powerful U.S. cruiser *Tuscarora*, which would have sunk her tiny antagonist with the first broadside. The commander of the *Tuscarora* behaved with such open defiance of neutral rights and public law, and boasted so loudly of what he would do, that the Admiralty sent the *Dauntless* frigate, under Captain L. Heath, C.B., to prevent acts which England would have been compelled to punish. The *Nashville*, with marvellous audacity, claimed her right of twenty-four hours' precedence, ventured forth, and by skill and good fortune evaded her unscrupulous and irresistible pursuer. But, ill-constructed, carrying two small guns, and outmatched by every one of the enemy's swarm of converted merchant steamers, she was able to render no further service as a cruiser.

The exploits of the Confederate harbour and river marine—improvised ironclads and converted tugboats—were brilliant and heroic failures. Except the *Virginia*, they never had a chance; were invariably opposed at overwhelming odds to real armour-plated vessels built for war, with perfectly protected machinery, first-rate naval engines, and artillery to which their heaviest pieces were mere popguns. Rams like the *Manassas*, the *Tennessee* and the *Albemarle* found their railway-plating torn like paper by 15-inch shells, while their shot 'glanced like peas or stuck like pins' when hurled at the turrets of the monitors. Unwieldy, slow, feebly-armed and worse armoured, they were little better than death-traps for their crews. For the 'mosquito flotillas' that accompanied them, a single wooden war steamer like the *Hartford*, a couple of the dozen or score of gunboats that attended Porter and Dupont, Farragut and Foote, were an overmatch. Yet at Mobile, at Charleston and elsewhere, as at New



Orleans, the doomed crews carried their hopeless craft into action with an energy, skill and daring which Nelson and Cochrane could not have surpassed, which Farragut and Dahlgren had no chance to rival. One after another their vessels were sunk by a blow, sent to the bottom by one lucky shot, or blown to atoms by a single shell; none the less their consorts fought to the last, dashing at antagonists of tenfold power, baffling hostile numbers by reckless daring, desperate manœuvres and sheer stubborn determination, and seldom or never conquered till they were annihilated. In their completest victories the Federals hardly won a prize, and never one they could for shame have displayed as a trophy. When the battle was over, a few shattered wrecks, a quantity of floating débris, the remains of vessels sunk, burnt, stranded and blown up to avoid surrender, were all that remained of the vanquished.

In everything except the disposal of its cruisers, the Navy Department at Washington, under Mr. Gideon Welles, was tolerably administered and splendidly served. If the naval and riverine triumphs of the North must be ascribed, firstly to the marvellous inventive genius, practical skill and emulous patriotism of private engineers and constructors, the rapid, honest, admirable workmanship of lavishly-paid builders and mechanics, and, secondly, to the gallantry and professional skill of the officers who were furnished with such perfect instruments—such ironclads, gunboats, engines and artillery—the Department must at least be credited with a signal freedom from red tape, with promptitude in accepting and using the mental and material resources offered, and, above all, with a wise selection and steady support of the best men which presented a striking contrast to the conduct of the War Office.

The *Sumter* and her home-built consorts had frightened half the American merchant marine from the seas before a cruiser was built in England. The *Alabama* and the *Florida* only completed the work begun by native Confederate vessels. The former, under Captain Raphael Semmes, one of the ablest and

most cultivated officers of the old United States Navy, sailed for Galveston, where she expected to find a fleet of transports under Banks. But in the meantime Magruder with a small Texan force had recovered the city, and, manning two or three tugs and river steamers protected by cotton bales with dismounted cavalry, had surprised the blockading fleet and captured the most powerful of its vessels; the rest escaped by a treacherous use of flags of truce.<sup>2</sup> A serious attempt had been made to retrieve this disaster by despatching a large force, naval and military, against Sabine Pass, a fort manned by fewer than fifty men, who repelled the naval attack, crippled a gunboat, and compelled two others with the commander of the flotilla to surrender at discretion. The number of the prisoners was so much larger than that of the captors that the latter were compelled to resort to stratagem to take possession of them, lest the former, discovering their weakness, should turn upon them and capture the fort. This exploit and that of Magruder's 'horse marines' were among the most brilliant of the achievements, as next to the Virginians the Texans were the most resolute, and without any exception the most dashing and daring, soldiers of the Confederacy.

The *Alabama*, therefore, instead of the crowded transports, of which she might have sunk or captured several, found a small squadron of ships of war, nearly all superior to herself, lying off the city. Semmes, instantly appreciating the situation, showed himself, and provoked two or three to start in pursuit. Of these, the *Harriet Lane*, a converted merchantman, worse armed and constructed than her adversary, proved the swiftest; on the other hand, her crew had been trained, while that of the *Alabama* consisted almost entirely of English adventurers who had been but two or three weeks at sea. Luring her pursuer beyond reach of speedy help, the *Alabama* turned upon her; and after a thirteen minutes' fight the *Harriet Lane*, in a sinking condition, struck her flag. It required no common exertion on the part

<sup>2</sup> See Magruder's Report, Davis's *Rise and Fall*, vol. ii. p. 235.

of the *Alabama's* boats to save from drowning a crew almost as numerous as her own. Her business, however, was not to fight the enemy's blockading fleets, nor to seek out cruisers most of which were better built and better armed, but to play havoc with Northern commerce. The maritime States of New England furnished the best native sailors of the fleet, and proportionately by far the largest proportion of the Northern merchant vessels. They were the most bitter and ruthless enemies of the South, as they were the most remote from danger, and Southerners naturally desired to bring home to them some slight share of the cost of war. But the skill and tact of Captain Semmes, the eminently judicious instructions he had received, and the character of his ship, built by one of the best firms in England, to be fleet under sail and independent of the coal it was so hard for her to procure, contributed less to her success than the mismanagement of Secretary Welles.

We must suppose that the latter was ignorant of those elementary facts upon which Semmes and Bulloch, the constructor and director of the European-bought Confederate marine, had relied. Commerce has on sea as on land its regular routes, its crossing points and junctions. At these it was the *Alabama's* purpose to lie in wait for her prey. At these she could exert a power tenfold greater, though at greater hazard, than by cruising at random over the ocean. An intelligent clerk at Washington might have thwarted her operations by the obvious device of placing a score of cruisers in pairs to guard the great ocean crossings. But the *Kearsarges* and *Tuscaroras*, of which the Government at Washington commanded as many as it pleased, were despatched to blockade neutral ports, to lie in wait for the *Alabama* where she was expected to put in for coal or repairs, and where they might hope to imprison her by force of numbers or weight of metal, rather than to protect their merchant marine by seeking an equal encounter. At no point where she might surely have been anticipated did the *Alabama* ever meet an antagonist. Every Confederate port was so closely blockaded that she

could not justifiably run the risk of an attempt to enter them, in which, if detected, she must be instantly sunk. Her work was done almost entirely under sail, while the enemy's vessels were amply provided with coal, and able to purchase fresh supplies almost at will.

Such exploits are never likely to be repeated, as their conditions will never be renewed. A vessel swift enough to chase and strong enough to capture the great merchant steamers of England would cost five times the *Alabama's* price; her intended victims—armed as they would be in time of war—would have been too strong for the *Alabama*; and she could hardly elude, as the *Alabama* did, the cruisers that would be instantly sent in pursuit; to which must be added that her repeated visits to coaling ports, to say nothing of submarine telegraphs, must constantly indicate her position.

After nearly two years of unceasing work and wear, with few opportunities of coaling and none of repair, on June 11, 1864, like a 'weary foxhound limping back after a long chase, footsore and longing for rest,' the *Alabama* entered Cherbourg, discharged a number of prisoners, and applied to the French authorities for permission to refit. On the 14th the U.S.S. *Kearsarge*, under the command of Captain Winslow, in perfect condition, armed with two 11-inch Dahlgrens against one 8-inch smooth-bore and one 7-inch rifled Blakely, and otherwise fully equal to the *Alabama*, came round from Flushing to Cherbourg. She asked the French authorities to send on board the *Alabama's* prisoners, a proposal obviously inadmissible.<sup>3</sup>

The *Kearsarge* was also protected by chain cables concealed by slight planking, and was in fact a partially armoured vessel. Her manner of entering and leaving the port was accepted by the *Alabama* as a direct challenge.

<sup>3</sup> Prisoners on both sides were paroled till exchanged, but their Government had obliged every officer and man paroled by the *Alabama* to choose between the disgrace of breaking his parole and the extreme penalties of martial law. This fact, not admitting of excuse, is simply suppressed by Northern writers. The victims of this peculiar idea of honour were liable, by the law of all civilised nations, to be hanged on identification, if they again fell into the enemy's hands.


The spirit of the captain, the quality of his crew, above all probably the insults and taunts to which they had been subjected for two years, overcame all regard to obvious disadvantages and all considerations of mere policy. The loss of the *Alabama* would be greater than the gain of the Confederacy by the destruction of half a dozen *Kearsarges*, which the enemy could replace at pleasure. But the honour of his ship and his flag were in question, and Captain Semmes resolved to fight. Having patched up as far as possible her worst defects and received a small supply of coal, the *Alabama* steamed out to encounter her enemy some seven miles from the French coast, on the morning of June 19, 1864. Two things were speedily made apparent. The powder of the *Alabama* had been spoiled, as powder purchased in the market always is, by lapse of time. A shell which should have sunk the *Kearsarge* stuck in her stern-post and failed to burst. The latter was so much faster that she could choose her own distance, and the *Alabama* in vain attempted to close and board. The 11-inch shells of the *Kearsarge* tore holes as big as a barrel through the *Alabama's* scantling close to the water-line, and after a little more than an hour's firing she was so evidently sinking that her flag was struck. Scarcely were the wounded placed in the boats ere the ship went down. The greater part of the officers and crew were picked up by two French fishing boats and an English steam yacht, the *Deerhound*, which had watched the battle from a distance. The *Kearsarge* was so slow in lowering her boats that but for this aid all but the strongest swimmers would have been drowned. Captain Winslow made no complaint against the French fishing boats, but was most bitter against the *Deerhound* for not handing over the rescued men, who but for her would have been left to drown; and declared that had he known her intention he would have pursued and sunk her. If the vaunt were seriously meant, it is well for himself and his country that no attempt was made to fulfil it.<sup>4</sup>

<sup>4</sup> Seward claimed it as the right of the *Kearsarge* that 'the pirates should drown.'—Appendix to U. S. Case, iii. 263 and 273.

The *Florida*, after a similar but less effective career, ran into Bahia on October 4, 1864. She found there the U.S. steam corvette *Wachusett*, the name of whose commander, Collins, should be recorded. The latter and the United States consul gave a solemn assurance to the authorities of the port that they would commit no violation of Brazilian neutrality. In reliance on that promise, on October 6, the *Florida's* officers and men were allowed to go ashore, and the watch was badly kept. The *Wachusett* ran into the *Florida*, overpowered the few men left on board, seized her, and escaped under cover of night. The captor, while neither denying nor extenuating the piracy, denied the falsehood. The event proved that he had rightly interpreted the character and feelings of the Government he served. The Brazilian Government demanded the immediate restoration of the *Florida in statu quo*. The Federal Government promised this, and gave secret orders to sink her. The officer employed in this discreditable service was promoted. Amends were made to Brazil, and the North reaped the fruits of this double treachery in the destruction of the only effective Confederate cruiser then afloat.

The *Sea King*, afterwards the *Shenandoah*, a stout sailing vessel, wrought havoc among the Northern whaling fleet in Baffin's Bay, without encountering a single Federal man-of-war, till she received authentic news of the close of the war; when her commander carried her into an English port, and she was handed over to the Federal Government.

The language of the American Government and of its diplomatists and naval officers was without precedent in history. The epithets applied to the Confederate cruisers even in grave despatches, the tone assumed by Mr. Seward, and imitated by men like Captain Craven of the *Tuscarora*, Winslow of the *Kearsarge*, Admiral Wilkes, and the generality of American consuls and envoys, were alike without precedent and excuse, often without rational meaning. Of the civilian offenders, few had served an official apprenticeship, and most had won their posts by stump oratory and election-



cheering services. It was not strange that under such a chief they should have given the rein to their tempers and reviled both enemies and neutrals in the style of American party oratory, employed language and thrown out imputations which outraged every rule of private and public courtesy in addressing English Ministers and officers of rank, restrained by self-respect and political duty from appropriate retort or resentment. To Governments which had recognised the Confederacy as a legitimate belligerent, they spoke with intentional insult of Confederate men-of-war as 'corsairs' and 'pirates.' Admiral Wilkes, for example, addressed to the Governor of a great English colony a tirade so abusive and unmannerly that, if written or spoken in the freedom of private intercourse, it would have been forcibly cut short. Mr. Lincoln's confidential advisers and official representatives charged the English Government in grave despatches with dishonesty and treachery as well as hostility.<sup>5</sup>

<sup>5</sup> It would be a waste of time and patience to quote instances of the usual tone of Northern despatches and official communications, but two incidents may be mentioned as illustrating the reliance to be placed on the deliberate statements of those Northern officials whose character stood highest in contemporary European estimation.

Mr. Charles Francis Adams, the American Minister at the Court of St. James, bears as high a reputation as any contemporary Northern statesman, soldier or historian. Such were, under Mr. Seward, the obligations imposed on American diplomatists of the highest rank, that Mr. Adams placed on record a statement—May 10, 1865—'that during the whole course of the struggle in America there had been *no appearance* of the insurgents as a belligerent on the ocean excepting in the shape of British vessels, constructed, equipped, supplied, manned and armed in British ports.' The writer knew better; no other man, the chief and European agent of the Confederate Navy Department alone excepted, had more reason to remember the facts he travestied. First, as Mr. Adams well knew, *no* Confederate cruiser was 'equipped,' 'manned,' or 'armed' in British ports or within British jurisdiction. Here are three grave misstatements, each of the deepest significance. But the essential point, the substantial purport of this allegation, is yet more obviously untrue. Only *four* out of *thirteen* Confederate cruisers were of British origin. The *Sumter*, *Nashville*, *Calhoun* and six others sailed from ports within the Southern States, and had spread panic throughout the American merchant marine before the *Alabama* was built, and the names of the two first, at least, were as familiar to Mr. Adams as to their own captains.

The other case came under my own personal observation. In the course of diplomatic endeavours to persuade Lord Palmerston's Ministry that the

Confederate Government was deliberately and systematically violating the neutrality of England, the United States Minister laid before Lord Russell what purported to be a Confederate State paper. A copy of this document was shown to me by a subordinate agent of the Confederacy. Its form and address, to anyone familiar with American constitutional practice, at once stamped it as a forgery. The same night, in the House of Commons, several leading Conservatives challenged the neutrality of the Government as in practice monstrously favourable to the United States, and operating most unequally against the Confederates. The Ministers retorted by quoting this proof that the Confederate Government was using illegitimate means to fit out naval armaments in English ports, if not to embroil England with the United States. The Opposition were taken unawares, and it was my fortune to advise them of the detection of the forgery. The hint that its authenticity was challenged obviously startled the Treasury Bench. Their subsequent silence was a confession that they had been deceived. It need scarcely be said that English Ministers would have felt bound to ascertain, and if possible vindicate, the character of a public document on which they had rested their answer to a charge preferred in the House of Commons. It is not easy to understand how an obvious point of American departmental usage common to both Confederations, which at once caught the attention of two men unfamiliar with the technicalities of office, could have escaped a veteran American publicist; and the incident renders it equally difficult to rely on the most authoritative Northern testimony.

Years after the close of the war, historians ashamed constantly to repeat such terms of mere abuse as 'pirate' and 'corsair' habitually described the Southern cruisers as 'privateers.' As the word conveys no reproach, and cannot therefore give the kind of relief which certain tempers find in irrelevant epithets and meaningless execration, we must suppose that many Northern jurists, professors and scholars are either ignorant that 'privateer' signifies definitively and exclusively 'a vessel equipped for war by private owners under Government license,' or else unaware that the *Sumter*, the *Alabama* and their consorts were regular national vessels of war belonging to the Government of the Confederate States, and commanded by commissioned officers of the Navy.



## CHAPTER XXI.

## THE END AT HAND.

Hopeless Military Situation of the South—Rout of Banks—Battle of Mobile—  
Fort Pillow—Fort Fisher—Grant in Chief Command—Concerted Scheme  
of Action.

THE interest attaching to the campaigns of 1864 is of a wholly different character from that which belongs to the first three years of the war. From a military standpoint the issue was now determined. The overwhelming and ever-increasing numbers of the North, the constantly dwindling strength of the Confederate States, which had already put every available man into the field, the loss of the Mississippi, of Missouri, Kentucky, Tennessee and Western Virginia, the stringent blockade of every Confederate port—the presence of victorious armies in overwhelming force upon the frontiers of Georgia, at the end of a line leading straight through the one Southern arsenal of Atlanta upon Savannah, the seizure of which line would once more cut in two the remaining territory of the Confederacy, and either divide its principal armies or enclose them in a net which mere superiority of numbers would draw together—left the South little or nothing to hope from the fortune of battle. Only the destruction of one of the great armies of the North could relax the tightening grasp of the invader. A Sadowa or Sedan was necessary, and a Sadowa or Sedan has never in history been won by greatly inferior numbers over disciplined, well-organised and well-supplied troops. The last hope lay either in foreign aid or in Northern weariness. The former was practically out of the question. The French intervention in Mexico had indeed deeply involved the political honour and interests of France ;

but if France had not ventured to interpose alone after Fredericksburg and Chancellorsville, it was vain to dream that she would do so after Gettysburg and Vicksburg, still more after the decisive overthrow of the Western Confederate army on the heights before Chattanooga.<sup>1</sup>

Events showed that the hope of wearying out the North was somewhat more substantial. The eyes of the people were fixed on Northern Virginia, and so long as Lee repelled with unvarying success every attack on Richmond, so long as the depleted ranks of the Army of Northern Virginia held their own against whatever numbers within fifty miles of Washington, so long as a signal success might still enable them to enter Pennsylvania and avenge the ravages of Grant and Sherman, it was yet possible that the North might despair; that the cry for peace might be such as neither the sound judgment of the military commanders nor the stubborn resolution of the Government at Washington could resist. The military crisis of the struggle was long past; the crisis of Northern politics, the culmination of the struggle between the parties of peace at any price and war to the knife, was reached in the autumn of 1864, when McClellan contested the Presidency with Lincoln. The skill of the Southern Generals, the splendid valour of their soldiery, the heroic endurance and indomitable courage of the people, the dash and daring of such independent commanders as Forrest, Morgan and Stephen D. Lee, were more signally exhibited in the last agony of the country than at any previous period. So, indeed, military heroism and self-sacrifice are often shown most splendidly at the close of a lost battle, in the attempts to cover the escape of a routed army. But every writer, in proportion as he understands the meaning of war and honours soldiery, feels, with the last and not least brilliant of Eng-

<sup>1</sup> I am assured, on what seems to be sufficient authority, that had Lee been victorious at Gettysburg, the then Government of England, with the full approval of the Opposition, were prepared to join with France in recognising the Confederate States as an independent Power, if not in more active measures. If so, it is all the easier to understand why the great Virginian leader fought a battle at such terrible disadvantage.

lish military historians, that it is pure pain to record or read of the slaughter that takes place after resistance is over, the havoc wrought by cannon and cavalry among the broken ranks of a beaten army. Such is the moral character of the twelve months' warfare which finally crushed or slaughtered out the remaining armies, and reduced to sheer starvation the people of the South. The last exploit which, by connection and historical sequence, though not by date, belongs to the campaign of 1863, was the march in which Sherman swept before him the struggling remnants of the Southern forces, seized Meridian in Alabama, devastated the country with a thoroughness which at the time he claimed as a merit, but which in his *Memoirs* he studiously endeavours to slur over or extenuate, and destroyed the last elements of organised resistance in the country, leaving a strong force based on New Orleans to complete the work of destruction.

Banks with a powerful army, supported by Porter's fleet, moved up the Red River, with Shreveport on the frontier of Texas for his nominal objective, and the devastation and plunder of Louisiana for his immediate purpose. Banks belonged to that class of Generals who had never been and never became soldiers, whereof Butler was the typical representative. Their chief appreciated their real qualifications, and employed them for the most part with no little judgment on service equally congenial to their tempers and suited to their powers. Butler had been placed at the head of some 12,000 men, the largest of several scattered forces numerous enough to constitute a formidable army, which were to close upon Richmond when Lee's army had crossed the Potomac. They had abundant time and superabundant strength; but somehow they never came in sight of Richmond till, learning that Lee was again within a few days' march, though with an enormously superior army in his rear, they allowed the whole scheme quietly to collapse. No Federal chief who had ever encountered Stonewall Jackson was in a position to reproach the unlucky 'Commissary,' and Banks was rather commended for saving a part of his army than called to account for

the loss of prisoners, the cannon, small-arms, and quantities of stores that had supplied the need of the hungry, half-clothed and half-armed Confederates, in the Valley campaign of 1862. It had been his fortune to command at the siege of Port Hudson. He was therefore supposed capable of commanding in an expedition which hardly expected to encounter a formidable enemy. But to Banks a very small Southern force, under chiefs like Kirby Smith, Price and Richard Taylor was more than formidable. On April 8, 1864, his straggling army, encumbered by a train of plunder-laden waggons, suddenly encountered a 'long thin line of clay-coloured Confederates.' The Southern infantry dashed out of the woods, charged Banks's cavalry and hurled them back in ignominious rout. The Federal army ran for three miles, till they took refuge behind their rearguard, strongly posted under a real soldier on the edge of an almost impassable ravine. Here pursuit was checked for the moment, and Banks had only lost some 3,000 killed, wounded, and prisoners, nineteen guns, and a large proportion of the trains and stores which accompanied the luxurious march of the Federal armies. On the 9th the Confederates again overtook him, and Banks escaped under cover of night, leaving behind him 2,000 more of his men and everything that could encumber his flight, including his dead and wounded, no small proportion of his rifles, and 1,200 horses and mules which the fugitives had not time to mount. The forces which thus summarily disposed of him were scarce a third of his own.

On the 10th a brigade of Texan infantry made a desperate attack on Porter's fleet, actually supposing that gunboats could be carried by infantry charges, a delusion of which they were not cured till a raking fire of grape and canister had disabled more than a fourth of their number. Even after this repulse, Porter had to exert no common ingenuity to save his fleet from falling bodily into the hands of an enemy who do not appear to have had a single vessel of any kind, and one of his gunboats was abandoned and burned. Banks was consoled for his disgrace by burning Alexandria and carrying off with

the aid of the fleet some fifteen thousand bales of cotton, worth 30,000*l.* to 40,000*l.* At the end of April another Federal army, which in co-operation with Banks had marched southward from Little Rock, the capital of Arkansas, was caught in its retreat by the Confederates and chased ignominiously back to its base, losing 400 waggons, eight guns, and more than 2,000 men. After these disasters General Canby was placed in charge of the trans-Mississippi Department and confined to the defensive. Another Federal army was sent on a raid into Florida, from whence nearly the whole population of military age had, as we have seen, been withdrawn. But aged men and schoolboys on this, as on other occasions, confronted with calmness and success the regular soldiers of the North. A hastily gathered force encountered the invaders at Olustee and completely defeated them.

On August 5, 1864, Farragut, who had long lain idle off Mobile, determined with fourteen wooden ships and four monitors to attack the forts that closed the harbour. The Confederates had but one rudely iron-plated ram, the *Tennessee*, and three improvised gunboats, the three together scarcely a match for the weakest vessel in the enemy's fleet; the *Tennessee* less effective than any one of the monitors. The forts were attacked by a large land force. The Federal fleet was armed with 9, 11, and 15-inch guns and one hundred-pounder rifled pieces. A dozen vessels at once set upon the *Tennessee*, which, charging again and again, damaged and defeated many of her assailants. At last, rammed by one vessel after another, receiving broadsides of 9-inch shot from the wooden vessels and from the iron-clads 15-inch bolts, which broke through her plating and wooden backing—her steering apparatus destroyed, her port-shutters jammed, one monitor firing at her stern, two others and the *Hartford*, Farragut's flagship, closing upon her—helpless and defenceless, she hauled down her flag. Buchanan, transferred to her from the lost *Virginia*, was again severely wounded. One Federal monitor had been sunk; and the fleet

lost besides 52 killed and 170 wounded, chiefly during the contest with the *Tennessee* and her tiny attendants. In the course of a month the forts, having been reduced to a mass of ruins, were abandoned or destroyed. Farragut behaved with skill and courage, but the glory of the fight remained with the vanquished, who, with one rude ram and three so-called gunboats, fought four ironclads and fourteen wooden ships of war for four hours, and surrendered only to sixfold forces.

While Sherman marched upon Meridian, Forrest with some 5,000 cavalry swept into Tennessee and inflicted considerable havoc upon the Federal stores and forces in that State. On April 12, 1864, he reached Fort Pillow, held by a body of guerillas and negroes, and supported by a gunboat which after the first attack retired to 'cool or clean her guns.' The latter not returning, Forrest, having driven the enemy into the works, summoned them to surrender under threat of an immediate storm. Soldiers who cannot resist have no right to inflict a useless slaughter upon the assailants before throwing down their arms, nor can they expect to escape retaliatory havoc after the works are carried. But the commander refused, and the fort was instantly stormed. The character of its garrison, and the treatment to which the country from which Forrest's troops were drawn had been subjected, would have excused the mere refusal of quarter. It seems to me clear that the stories told by Northern writers, and the report of the Committee of Congress appointed to investigate the matter, are grossly exaggerated. It must be remembered that a whole series of similar accusations made by Stanton, then in the Cabinet, and supported by Congressional Committees at the close of the war, are now tacitly owned to be unfounded. But after all deductions are made, when the evidence elicited from negro witnesses, who knew that the worst charges would be most welcome to their questioners, is set aside, much remains which it is impossible to justify or even to palliate. That Forrest exerted himself to restrain the passions of his troops is proved by hostile

witnesses; that his men were less disciplined and obedient than the regular forces of Lee, Johnston, Beauregard and Bragg is matter of course. That they were infuriated and uncontrollable, that they gave no quarter to men who hardly deserved it, is beyond question. A great majority of the garrison were killed after the post had been stormed, when they had ceased to resist because resistance was impossible. The stories of crucifixion, burning alive, torturing and mutilating, are founded on no better evidence than that of negroes afterwards released or exchanged—a fact which proves that there was no systematic massacre—and of a master's-mate from the gunboat which had so strangely deserted them. The place was set on fire, and many corpses were consequently burned; some wounded probably perished in the flames. That in the hurry and confusion one or two may have been buried alive is probable enough. Such things must happen on every battlefield. That they were done intentionally I find myself, after studying the evidence, unable any longer to believe. Had the Confederates shown a disposition to refuse quarter on the battlefield, no one could have wondered, considering all that they and their families had had to suffer. But no characteristic of the war is better attested than the soldierly humanity of the Southern troops, except the extreme and perhaps excessive unwillingness of their commanders to resort to reprisals for the many cold-blooded executions and other violations of marshal law committed by Federal Generals and troops—acts for which redress was repeatedly demanded from their Government and refused with insult. The story of Fort Pillow stands alone, the sole case of inhumanity even alleged against Confederate troops.

Wilmington, the last Confederate port open to blockade-runners, was defended by Fort Fisher, called by Porter 'as strong as the famous Malakoff,' and by several other batteries, none of them formidable, and all of them capable of being turned by land forces. The garrison of Wilmington had been reduced to the lowest possible point by the necessity of providing forces to attempt to resist Sherman's march of

devastation. On December 15, 1864, General Butler, with a formidable army, supported by Porter's fleet, which carried 500 guns of the largest calibre—the most formidable naval armament ever collected—approached the fort. A boat stored with 215 tons of powder was run alongside the ramparts and fired on the 24th. It produced no effect; the fleet went in to attack, and boasted that in half-an-hour it had silenced the fort. Nevertheless, fleet and army were defeated, and on the 25th General Butler ordered the return of the expedition. Disgusted at the unsatisfactory result, which he ascribed to Butler's incapacity, Grant sent back a still stronger force, which landed on January 13 under the terrific fire of the fleet. After two days' bombardment, under cover whereof the troops worked their way by a series of trenches till within 200 yards of the works, they ventured an assault. For five hours the Confederates held their own, one to ten, in a hand-to-hand death-struggle, under a fire of grape and canister such as in itself might have sufficed to drive veteran troops from a strong position. The traverses were held long after the enemy had forced the shattered outworks. Not till the Confederates were expelled from the last traverse and hemmed in between the enormous guns of the fleet and the enemy's land force, did they surrender. Their unequalled heroism extorted praise even from Mr. Draper—'never,' he owns, 'had there been a more gallant nor, for the conquered, a more glorious defence.' The unparalleled force collected to attack a single earthen fort bears yet more unwilling and emphatic witness to the matchless valour of the little garrison of 2,500 against whom it was hurled; to the belief of Grant and Lincoln that Confederate troops could only be conquered by the weight of immeasurable odds. The fall of Fort Fisher sealed the Confederacy hermetically against succour from without. Of corn and meat, powder, shoes and clothing, she had a very inadequate supply for a few months. Of coffee, tea, wine, spirits and above all medicines, she was henceforth almost absolutely destitute, as for many months she had received very precarious and exceedingly small supplies.



In the meantime Bragg had been relieved of his command and summoned to Richmond as the military adviser of the President. Public opinion compelled President Davis to replace General Johnston in command of the so-called Western armies.

At the beginning of May Grant was summoned to Washington to take charge of the gigantic hosts, more than a quarter of a million in number, gathered to overpower the Confederate forces in Virginia, whose total at no time exceeded 75,000 men. He was shortly after advanced to the rank of Lieutenant-General, with the command of the whole military forces of the Union. More than 100,000 men were scattered over Kentucky, Tennessee, Mississippi and Northern Alabama ; as many more were mustered under Sherman at Chattanooga. To the former the Confederates could oppose a few bodies, regular and irregular, including the garrison of Mobile, which can hardly have amounted in all to more than 30,000. Johnston confronted Sherman in Georgia with fewer than 50,000.\*

Hitherto the movements of the great Federal armies had been altogether independent. There was no concert between Grant and Burnside, Hooker or Meade ; much less between these and the commanders of large detached armies, employed or unemployed, at New Orleans, Charleston, Port Royal,

\* Mr. Davis shows that Johnston greatly overrated the available numbers dispersed in the South-West, in regard to which the latter had no reliable means of information. As to the strength of the Virginian forces, Davis's statements, resting on contemporary reports of Lee and his lieutenants, are thoroughly trustworthy. As regards the garrisons and detachments in the Gulf States, no more than a conjectural estimate is possible. Special information received at Richmond from individual commanders shows that their strength was there grossly overrated. At one time, for instance, Forrest commanded one-third of the force ascribed to him by War-Office calculations, perhaps one-tenth of that reported by the General who encountered him. On the other hand, Mr. Davis is, as against Johnston, a distinctly hostile witness. Either the President exacted too much or the General achieved too little ; which, is mainly a question of numbers. The maximum ascribed to Johnston after Polk's corps had been withdrawn from the South-West to reinforce him is 68,000 men. It seems certain that he had never 60,000 to oppose 100,000 under Sherman's command, and that the disproportion was constantly increasing. The numbers he handed over to Hood at the close of the campaign fell short of 40,000, of whom not 24,000 were actual effectives.

Newbern and other points along the Southern coast or beyond the Mississippi. Grant concerted with Sherman a complete scheme of operations, suggested by their long experience and practical knowledge of the Far South and South-West. The Confederate line of defence was a mere shell, covering a country drained of men and military stores, with only two or three ports through which scanty supplies could be drawn from without. That shell once broken, the army of Johnston once destroyed, worn out or driven out of his way, Sherman had nothing before him, nothing between him and Savannah, but an open agricultural country, rich in food for men and horses, from which the whole of its military population had been withdrawn. The fall of Vicksburg had severed one third of the Confederate territory from Richmond; another third was held more or less firmly by the armies in Sherman's rear, from Louisville to Northern Alabama; and a victorious campaign in Georgia would cut the remainder in two, isolating Virginia and the Carolinas with a total strength, including the garrisons of Charleston and Wilmington and the detached forces guarding Lee's communications, scarcely exceeding 100,000 men, upon whose front, flank and rear the victors would be able to concentrate at least half a million. Grant's idea was to wear out the main Confederate armies by incessant fighting and sheer attrition, no matter at what sacrifice of life. Ten thousand Federal soldiers slain or wounded could be more easily replaced than two thousand withdrawn from the Confederate lines, behind which there was literally no residual strength—except a few thousand cravens who had obtained exemption on one plea or another—unless in the last resort the South should arm her slaves. Sherman, while accepting this idea, relied on his superior force, as available for flanking and turning movements, to drive Johnston out of the strong hill country between Chattanooga and Atlanta, and at the price of two or three pitched battles to reach the heart of the Confederacy and seize her last remaining arsenal.

The concerted campaign commenced in May 1864, when Sherman commanded at least 100,000 men with 254 guns, and

the utmost which even a writer like Draper ventures to ascribe to Johnston was less than one-half of that number. Sherman's lieutenants were Schofield, M'Pherson and Thomas, the two last hardly inferior in ability and resolution to their Commander-in-chief. Those of Johnston—whose army covered the Chattanooga and Atlanta railroad at Dalton—were Hardee, Polk and Hood, the last a splendid soldier peculiarly suited to the command of his reckless, daring, indomitable Texans, with whom he was a special favourite. Commander and men alike exaggerated the proverbial quality of Englishmen; they never knew when they were beaten, or when they must be. The position of Dalton was very strongly fortified. The discipline and skill of the Confederates as well as the genius of their commander were shown throughout the campaign by the rapidity with which they entrenched his admirably chosen positions in the mountain passes and on the rivers, at which alone it seemed possible to arrest the march of an enormously superior enemy. Their favourite defences consisted of parallel walls of felled trees filled in with earth, forming a rampart no less effective against artillery than an earthen parapet, but not presenting the like easy slope to an infantry assault.

Sherman knew the Confederate soldiery too well to venture on assailing them behind entrenchments with only two-fold numbers. He employed M'Pherson to turn the position, moving on Resaca, eighteen miles below. If Resaca were seized, Johnston would be placed between two armies each equal to his own, the second entrenched in a strong position across his line of retreat. If he fell back to avoid this disaster, Sherman hoped to force him to a disadvantageous engagement in the open. The plan failed. Johnston abandoned Dalton on May 12, and fell back upon Resaca, the enemy not being able or not daring to close upon his rear. This second position was attacked by the Federals on the 14th and 15th, but they were defeated with the loss of some 5,000 men. Johnston's far lighter losses were irreparable. Again the position was turned; a vastly superior force threatened the front,

while about one-third of the invading army moved on the flank and rear of the defenders. Johnston paused again on the Etowah river and prepared for battle; but Polk and Hood are said to have remonstrated, and Johnston fell back across the river and took up another strong position in the mountain pass of Allatoona. Here Sherman dared not attack him, but on the 25th he pushed round Thomas towards Dallas, and followed with the main body of his army. In the course of the next two or three days several sharp encounters took place, in which the Federal advance was on the whole decidedly worsted. But rebridging the Etowah, repairing the railroad in his rear, and constantly moving by a flank, generally by the left, Sherman pushed back Johnston to a strong position already prepared in the Kenesaw Mountains.

Thus far Sherman had won, at no small cost, only a country long intact, where, finding a garden in his front, the invader left a desert. Besides the devastation deliberately wrought, the cloud of bummers (common thieves and incendiaries—a name adopted, a force acknowledged from this time by Sherman himself) which attended his army robbed, burned and wasted, filling their pockets and waggons with stolen teapots, spoons, watches, jewels and plate, firing barns and standing crops, slaughtering cattle, and leaving their victims to die of exposure and hunger. Sherman was as responsible for these deeds as for those he actually ordered; he was fully aware of, and at the time even boasted of them. He had three distinct objects in thus reverting to the worst usages of former ages and vying with the atrocities of the French army in Spain and Portugal. He desired to punish the non-combatants of the South, and especially the women, whose heroic spirit and passionate patriotism had done so much to recruit the armies and sustain their spirit.<sup>3</sup> He hoped also to deplete the enemy's ranks by forcing his soldiers to desert in order to succour their homeless families. In this he succeeded but too well; veterans who, ragged, barefooted and half-fed, had chased before them on a hundred battlefields the best pro-

<sup>3</sup> See his Atlanta Proclamation in his own Memoirs.

vided armies in the world, were driven to desertion by the news that their wives and children were dying of hunger in the woods, exposed to the license of revolted slaves and the brutality of an uncontrolled swarm of camp followers. Thirdly, Sherman obviously hoped to draw his antagonist to fight against his better judgment, through the pressure exerted upon himself, his army and his Government by the cries of the terrified women and children in his rear. Such methods are undoubtedly effective, but since the Thirty Years' War have been excluded from the practice of Christian belligerents. But Johnston could not be provoked to sacrifice the army which was the last hope of the South, the last power that could protect the people of Georgia and the Carolinas from such an enemy. On June 27 a battle was fought at Kenesaw, in which Sherman was defeated with a loss of 8,000 men at little cost to the victors. Once more he turned the line he dared not force, 'a line of parapets which, though made in two or three days, had all the essentials of a permanent work, ditch, parapet and embrasure, and the very best kind of abattis and palisade.'<sup>4</sup>

On the morning of July 3 the Confederates were compelled to abandon Kenesaw. In the same fashion, by a skilful use of overwhelming numbers and boundless resources, Sherman came in sight of Atlanta. The Confederate Government was thoroughly exasperated by a continuous retreat, whose necessity a soldier like Mr. Davis might have understood, or accepted on the authority of his consummate General; and, in spite of Lee's remonstrances, Johnston was removed from command and replaced by Hood. On July 20 Sherman closed upon the Confederate lines and fought an action in which the loss of both parties was about equal. On the 22nd Hood ventured, in spite of his numerical weakness, to turn Sherman's left. The movement was at first a complete success. Sherman was thoroughly outgeneralled, his left overpowered, its entrenchments repeatedly broken, and several of its strongest batteries captured. But numbers at last recovered the ground

<sup>4</sup> Draper, vol. iii. p. 285.

lost to reckless dash and desperate daring, and the Confederates were obliged to withdraw within their lines.<sup>5</sup> A third battle was fought on the 28th, the Confederates again assailing strong entrenchments guarded by twofold numbers and protected by an overwhelming artillery. Four, five and six times their shattered forces renewed the attack, and failed to reach or cross the palisades which covered the enemy. Polk had been shot dead at Kenesaw; M'Pherson, Sherman's best lieutenant, was killed in front of Atlanta.

The comparative fitness of Hood and Johnston for supreme command was proved by the event. By the testimony of his skilful adversary, Johnston's retreat was masterly; never beaten in the field, his flank invariably turned and his communications threatened by twofold numbers, he lost scarcely a straggler, a waggon, a broken-down horse or mule, and no guns except those necessarily abandoned in the entrenchments. Hood's defence of Atlanta was heroic, but costly and fruitless. Sherman was distinctly defeated, his heavy losses incurred in vain; and on August 16 he was compelled to do what he might have done three weeks before, to move his army to the south and cut off Hood's supplies. Firing and wasting as he went, he reached Jonesborough and cut Hardee's corps off from Atlanta. On the night of September 1 Hood abandoned the city, destroying his ammunition trains and the stores and rolling stock of the railways which he could not remove. Sherman had lost 30,000 men in actions not one of which achieved his immediate purpose or contributed to his ultimate end. If Hood had, as is alleged, 40,000 men left, the Confederates' loss did not exceed 20,000, and was chiefly incurred in the fearful slaughter of the battles round Atlanta, where Hood was striving to break a strongly fortified line held by enormously superior numbers. Atlanta was captured, like Dalton, Resaca and Kenesaw, by a flank movement, and the Federal loss was purely gratuitous. But,

<sup>5</sup> Draper's and other Federal estimates of the Confederate losses are simply ridiculous. If they were correct, Johnston's army, which had received no reinforcements, must by this time have dwindled to 30,000 men.

however obtained, the capture was of invaluable import. Mr. Lincoln's exultation was manifested by a stupendous artillery salvo, Sherman's by the deliberate destruction of the city and the summary expulsion of all its defenceless inhabitants, amongst whom there was no man capable of military service. This act, unprecedented in modern war, was aggravated by a proclamation in which the aggressor, invader and devastator invoked curses on those<sup>6</sup> who brought about the war, and complained of the wrongs inflicted 'on the hundreds and thousands of good people who only asked to live in peace at their old homes under the government of their inheritance.' Who would suppose that by the latter phrase Sherman indicated, not the people whom he had driven from their homes, but himself, his invading army and his bummers?

Besides the bummers, a vast crowd of real and so-called fugitive slaves hung on the rear of the Federal armies. Emancipation was never a dominant or general aim of the Northern people, nor of their captains in the field. With the Government at Washington, with the leaders of the Republican party, above all with the rank and file, military and civil, it was an instrument rather than an end. The passion that animated the volunteers of 1861-2 was national, not philanthropic; a passion for the Union which resented the Abolitionism of Greeley and Garrison as it resented the would-be neutrality of Kentucky and Maryland—as an intrusive impertinence, an obstacle to the attainment of the supreme object of the war. To the last, hatred of the slave-owner as secessionist and as aristocrat had far more to do with the Abolitionism which spread through the Northern people and armies than compassion or justice for the negro. The enlistment of coloured freedmen in the North and fugitive or stolen slaves in the South was seriously resorted to only when volunteering had broken down, and the intense unpopularity of the conscription had driven the North, and especially the unwarlike population of Massachusetts, New York and Pennsylvania, to seek for cheap

<sup>6</sup> *Memoirs*, vol. ii. p. 117, *et seq.*

substitutes.<sup>7</sup> Before, during and after the war politicians and political Generals treated the negro race as the instrument of a selfish and cold-blooded policy, to which, whether it failed or succeeded, its tools were sure to be sacrificed. Gathered in helpless, confused, undisciplined swarms on the line of Banks's marches and Wilson's raids, swept into improvised camps, uncared for and unfit to care for themselves, men, women and children died like flies of disease and neglect, infected by the sickness which wasted the invading armies more rapidly than sword or fire. Worse treated than the prisoners of Andersonville, the victims of a contemptuous indifference more cruel than the revenge exercised against their owners, the war is said to have cost more lives of negro non-combatants than of Northern and Southern soldiers. Philanthropy or even mercy would have left them in their homes to abide the inevitable issue of the war. Ignorant, submissive, christianised and semi-civilised by the efforts of the master race, they reverted, when freed from the wholesome influence of the routine life of four or five generations, to the ineradicable hereditary type of African barbarism, excitable, licentious, animal rather than brutal—in a word, to that savage nature which, as the most successful missionaries have learned to their bitter disappointment, no teaching, no training, no length of civilised life can do more than repress; which has prompted the most promising missionary pupils, after thirty years' enjoyment of civilisation, to declare that 'it was not worth while,' and return to the squalor, privation and liberty of the wigwam and the woods; a reversion which barbarised Haiti, and is fast barbarising, in spite of white example and government, the coloured population of Jamaica. No drill, no encouragement, no leadership could make negroes a match for the Southern soldiery, any more than the efforts of first-rate French and Italian soldiers could enable the warrior races of Hindustan to face the white troops of Clive, Lake or Wellesley, of Gough and Hardinge.

<sup>7</sup> This is admitted 'to the discredit of some of the free States' by Dr. Draper himself (vol. iii. p. 207), and this motive operated to a far larger extent than the professed apologist of the Federal cause can bear to allow.



After the occupation of Atlanta, Sherman's army lay comparatively idle, employing its cavalry and a part of its infantry in wholesale arson and pillage. Forrest meanwhile attacked the railroads, captured the garrisons and broke the communications in Sherman's rear. In October Hood undertook a similar movement in force, hoping, by means of a vigorous but desperate raid into Tennessee, to draw Sherman, as he had failed to drive him, out of Georgia. Sherman followed for some distance, but finally found that his communications were hopelessly cut, and resolved on a manœuvre which has been overpraised, but whose conception was as skilful as its execution was easy. Hood's whole army did not number 40,000 men; the Federal force which could be collected to oppose him before he could reach Kentucky outnumbered him fourfold. Nashville was his immediate objective; and at Nashville Thomas—the equal of Meade and Hancock, if not of Grant and Sherman, reinforced by the last named, and empowered to call up whatever troops he required from the scattered forces in Kentucky, Tennessee and Mississippi—awaited Hood's attack behind entrenchments which only a Confederate army, unless enormously superior in strength to the defenders, would have dreamed of assailing.

Sherman determined to repeat on a far greater scale, but at incomparably less risk, the famous flank march of Lord Raglan. He had to cut loose, like Lord Raglan, from his base and march to a new one; but he had not, like Lord Raglan, a beaten but still very formidable army before him, a strong fortress on his flank; and, instead of a virtual desert, he had to march through a rich and fertile country to reach a secure base and abundant supplies prepared for him by the Federal fleet. With the million soldiers at his command it was easy for Mr. Lincoln to oppose threefold numbers to each of the small armies into which the total Confederate force, scarcely numbering 250,000 men, was of necessity broken up. East of the Mississippi the Confederates had perhaps 70,000 men in Virginia, 36,000 in Tennessee, scattered bodies of cavalry and infantry which cannot have amounted to 15,000 men in

the South-West ; garrisons at Mobile, Savannah and Charleston just strong enough to deter the Federal forces in their immediate neighbourhood from attempting to storm these towns. Such was the position on November 12, when, with at least 60,000 infantry, 6,000 cavalry and a powerful artillery, leaving Atlanta in ashes, Sherman commenced his march to the sea, utterly devastating, as he passed, a tract of country some forty miles in width, encountering levies amounting on different occasions to some 5,000 or 6,000 men, but having, as he well knew, nothing like a substantial enemy in his front. On December 13 he reached and summoned Savannah. Hardee, who commanded there with a force utterly inadequate to resist one-half of Sherman's army—aided as it was by a Federal fleet which, if more adventurous, should have rendered the city untenable—after a defence intended chiefly to delude the enemy as to his intentions, withdrew his forces towards Charleston. The completeness of his success reflects the highest credit on Sherman's perception of facts, but no military glory attaches to a military promenade through a country which contained not 10,000 men capable of bearing arms. Sherman took or burned 20,000 bales of cotton, ten million pounds of corn, and a proportionate quantity of meat, bread, coffee, soap, sugar and salt. Kilpatrick, who commanded the cavalry, boasted that a track forty miles broad was marked by the brick chimneys he had burned, and by no other sign of human habitation. The vaunt would seem exaggerated, were it not fully borne out by contemporary evidences. These were the achievements on which Northern Generals appear to have relied for approval and reward ; these the means of subjugation on which the Federal Government, with a million and a half of soldiers under arms, chose to rely. The Confederacy was to be exhausted by devastation rather than conquered in fair fight ; by driving aged men, refined and delicate ladies, and tenderly nurtured children and young girls to seek shelter in woods and swamps, to feed on roots and acorns and such remnants of their harvests as had escaped the invader.


The temper of the time may be seen in the despatches, in such books as Hans Breitmann and the Biglow Papers. The tone of Sherman's, and still more of Grant's, minions, written after years of reflection, is wholly different. The treatment of France by the exasperated Prussian soldiery of 1814-15 and 1870-71 was tenderness itself beside the conduct of the Federal armies towards a people of the same blood and speech, who fought solely and exclusively in self-defence. At every point the warfare waged by the North upon the South finds not precedent or parallel, but striking and glaring contrast, in every other war of recent days between civilised combatants.

## CHAPTER XXII.

## THE CAMPAIGN OF THE JAMES.

Grant's First Resort to Brute Numbers—Why Effective in Virginia—Its Strategic Failure—Wilderness, Spottsylvania, Cold Harbour—Grant Defeated in every Battle, and in the Campaign.

MEANWHILE the Army of the Potomac had been engaged in a very different conflict. No modern soldier, unless we except Napoleon, was more reckless of human suffering, more lavish of human life to little purpose, than Grant. Throughout his last year of warfare he relied primarily on the brute force of limitless numbers, and chose to depend not on strategic skill but on sheer attrition; on wearing out the narrowly limited strength of the Confederate army by battles whose only effect was to kill and wound 20,000 Confederates who could not be replaced, at the sacrifice of thrice as many Federal soldiers whose places were immediately filled. The apologists of this policy, while extenuating its ruthlessness, have failed to mark the confession of inferiority it involved. Its adoption was a silent admission that nothing was to be hoped from his own generalship as opposed to Lee's, no reliance to be placed on the quality of his troops; that numbers must make up for morale, and Confederate heroism be compensated by boundless waste of Federal lives. He had shown himself, in the campaigns of Fort Donelson and Vicksburg, a capable if not a brilliant strategist. The blunder of Shiloh, where, with double numbers within a day's march, he had fought and been beaten on equal terms, had proved him no match for Sydney Johnston; and the fruitlessness of the next day's victory seems to rank him decidedly below Beauregard. The opening of the Virginian campaign was marked by all



his professional defects, and by none of the insight into essential conditions displayed at Donelson and Vicksburg. Even his successful circuit to the rear of the latter had been preceded and forced upon him by the failure of a previous blundering attempt, as his siege operations were reluctantly resorted to after the sanguinary defeat of two desperate assaults. In a word, his first appeal was always to naked force and brute numbers; and only when beaten in open fight did he fall back on strategy. This must have been the meaning of the speech he is said to have addressed to Meade on first superseding him, that 'he never manœuvred;' if, indeed, Grant ever stooped to such a vaunt.

His campaign had been preceded in the early spring by an attempted surprise on Richmond, in which Kilpatrick, before his transfer to Sherman, Butler and Colonel Dahlgren—the son of the famous Admiral—had been employed. Papers taken on the latter, and immediately photographed, showed that the main object of the plot and expedition was the burning of the Confederate capital and the capture or murder of President Davis and his Cabinet. Dahlgren was shot in attempting a retreat, and the rest of the expeditions were ignominiously driven off. This is the substantiated fact around which a mass of falsehood on both sides has accreted. Richmond journals published absurd exaggerations of a design sufficiently atrocious in itself; Federal writers retaliated by accounts totally false of the indignities inflicted on Dahlgren's corpse.<sup>1</sup>

Grant's plan was not so devoid of skill as, owing chiefly to his own language, it has been represented. Butler, with a force of 30,000 men and a soldier for second in command, was

<sup>1</sup> Mr. Draper repeats the latter falsehood. The truth is that Dahlgren was buried like any other officer killed in action. The paper taken on his body, of which a photographed copy was immediately sent by the Confederate Government to the enemy's headquarters, proved to be not that which his superiors had endorsed, but a modification thereof, in which the critical sentence had been inserted by himself. It is thoroughly in keeping with the passions ascribed by his admirers to a gallant, excitable enthusiast of twenty-one, happily saved by a soldier's death from an infamy which should justly have attached to his civilian teachers rather than to their credulous pupil.—Davis, vol. ii.

instructed to act on the south side of Richmond and to cut the railway between that city and the town of Petersburg, on the Appomattox, some twenty miles to the south. Later, Grant himself visited Butler, and instructed him to seize Petersburg and destroy the railroad to the southward, the main line of communication, supplies and retreat upon which the Army of Northern Virginia relied. On May 4 the main body of the Army of the Potomac, some 150,000 men, crossed the Rapidan under the immediate command of Meade. It was divided into four great infantry corps of 30,000 men each, with a vast body of cavalry consolidated into a corps under the command of Sheridan. Lee, with a total somewhat short of 60,000 men, still divided into three corps under Ewell, Hill and Longstreet, interposed between Richmond and this overwhelming host. The brilliant genius, the military instinct which never failed to anticipate the enemy's movements, were never more signally displayed than in these last hopeless campaigns. Never were the skill and devotion of his lieutenants, the matchless quality of his troops, the stern sense of patriotism and military duty, the boundless attachment to their chief which inspired them, more gloriously exhibited. On May 5 began the three days' fighting in what was called the Wilderness, a vast tract of tangled forest, part of which had been the battle-ground of Chancellorsville. The Federal army was completely defeated by the sheer hard fighting of an enemy at first outnumbered by three to one, and afterwards by five to two. Unhappily, Longstreet was severely wounded and withdrawn for some time from active service. Again the Federal army tried to turn the Confederate right, and again found Lee across their road at Spottsylvania. Here again the sixth day of very hard fighting, as Grant described it, ended on May 10 with a complete repulse, which Grant represented as 'much in his favour.' The battle was renewed on the 12th, and at a cost of 10,000 men Hancock effected a lodgment in a single advanced work of the Confederates. Throughout this fighting that General had borne the brunt; but, like M'Clellan, Hancock, though no politician, was suspected of Democratic inclinations, and though

certainly the third best officer in the Federal army, very possibly lacking nothing but the opportunity studiously denied him to rival Grant or Sherman, he with difficulty forced his way to the command of a corps, and was never allowed to rise higher. Again Grant moved to the North Anna; again Lee anticipated and completely outgeneralled him, placing his army in an impregnable position between the two wings of his antagonist; each of them far superior to the intervening force, but each of them taught by reiterated, severe and recent punishment that no such numerical superiority could render them a match for the veterans of the Virginian army. Both Generals and both armies acted on the assumption that 35,000 or 40,000 Confederates would overpower 70,000 Federals, before the remaining 70,000 could crush the containing force of 20,000.

Sheridan had been wasting and destroying, this time the legitimate objects of such raids, stores and roads, and had had an encounter with an inferior force of Confederates under Stuart. He boasted with little reason of a victory, but gained more than a victory could have given him, more perhaps than the destruction of half his corps would have countervailed, in the death of General Stuart, assassinated rather than fairly killed by a Federal fugitive whose life he had spared. Butler meanwhile had established himself in the Confederate lines at Drury's Bluff or Fort Darling. But on May 16 Beauregard brought up the scattered forces he had been able to collect in North and South Carolina, according to the most extravagant Federal estimates less than one-half of Butler's strength, attacked him in the captured works, and hurled him back into his own entrenchments at Bermuda Hundred—protected by a Federal fleet. Here Beauregard actually imprisoned a Federal army half as large as Lee's whole force. The latter, with all the reinforcements that could be brought up to support it, never exceeded 60,000 men.

Grant, who had pledged himself to 'fight it out on this line'—i.e. to take Richmond from the north-east—'if it took him the whole summer,' delivered another desperate attack upon the

Confederates, on finding them again across his front at Cold Harbour, a few miles north-east of Richmond. The field was a narrow plateau whose descending flanks were thinly covered with branchless pines. Across the plateau ran a ditch and parapet resembling a child's mimic entrenchment in the sand. An English girl of seven on a Shetland pony would have leaped it. A few hundred feet in rear was a ravine out of which no beaten army could have extricated itself without ruinous loss.<sup>2</sup> Behind the slight parapet, strengthened on the flanks by somewhat stronger works, the Confederate soldiers lay or crouched—they could not kneel. Grant on June 8 hurled against them the whole of his army. In half an hour that army was driven back, leaving the ground covered, to within a hundred yards of the trenches, with 8,000 dead and wounded.

Enraged by this last and most humiliating disaster, Grant furiously insisted on the renewal of the attack. He did not, as would most Confederate Generals under like circumstances, offer to lead it; and his officers and men, from the highest to the lowest, absolutely refused to stir. During the desperate fighting in the Wilderness, the Confederates lost for a time a critical position. Again and again they rushed forward to regain it, and were hurled back by an enveloping fire. It was absolutely necessary to recover the lost ground at any cost, and Lee came to the front: 'I will lead you myself.' The brigade refused to move. A murmur presently rose, a murmur swelling into a shout, 'Lee to the rear!' 'General,' said the Brigadier, 'go to your proper place; the men will not advance till they see you in safety. Then we promise to drive out the enemy.' Lee reluctantly turned his bridle; the men rushed forward and kept their word. So signally were the characters of the two commanders, the feeling of the two armies, contrasted within a single month.<sup>3</sup>

Thus, in the campaign north of the James, Grant had been

<sup>2</sup> I speak from personal examination, and conversation on the spot with one who shared the fight.

<sup>3</sup> This story is told in two slightly differing forms, and ascribed to two different brigades. It may, of course, have happened twice, but, unable to decide the point, I give no names or details open to question.



completely and decisively defeated ; he had lost in killed and wounded a number variously estimated at from 60,000 to 100,000<sup>4</sup> men without gaining a mile towards his ultimate objective, without coming a step nearer to the base he was finally driven to adopt. The Army of Northern Virginia had inflicted a long series of defeats on forces twice or thrice as strong, and had disabled more than their own number of the enemy. Judged by itself, the campaign was deeply discreditable to the beaten General. The Confederate loss certainly did not exceed one-fourth, in all probability not one-sixth, of that inflicted on the enemy ; but while Grant's losses were immediately made up by reinforcements, the strength of the Confederacy was strained to the utmost to maintain the total of Lee's army, and after Cold Harbour it was impossible to recruit it to any extent.

On June 10, and again at a later period, Butler with a large army of cavalry and infantry, released by the compulsory withdrawal of Beauregard's small containing force, made another attack on Petersburg. Her men from eighteen to fifty were in the army ; her boys and greybeards turned out to the support of the few regular troops available for her defence, and the overwhelming hordes of the enemy were ignominiously repulsed. The little church of that small country town contains a tablet to the memory of those citizens of Petersburg who perished on this occasion. Scarcely one was between seventeen and fifty, and after the war many a schoolboy's empty sleeve or wooden leg bore testimony that he had already done a man's duty in defence of his birthplace.

<sup>4</sup> I believe the real loss to have been larger than the lowest of these figures — say, 70,000. Grant puts it at 40,000 ! one of the very few instances in which he ventures to support by figures his loose general assertion that the Federal victories were not due to overwhelming numbers. The figures I have given — few of which Grant would have ventured to dispute — dispose of a statement *prima facie* improbable. The Federals had threefold and later tenfold numbers ; they could choose the point of attack ; the Confederates were necessarily dispersed to watch every endangered part. What did the North do with these advantages ? I have shown, in each case, what the numbers were. When Grant explicitly contradicts me, it is as to the Confederate strength, of which he had no special knowledge.

On June 15 the Federal army reached and crossed the James, while Grant proceeded to Bermuda Hundred to prepare for the capture of Petersburg. The total of the Confederate forces in Virginia did not reach 80,000 men, of whom not 60,000 fell back with Lee into the lines which now covered Richmond, Petersburg, and the railway between them, lines ultimately stretched to thirty miles and defended by a total strength of 1,500 men per mile of parapet. Besides 120,000 infantry under Grant's own command and Sheridan's huge cavalry force, the Federals had Butler's army, between 30,000 and 40,000; a third force varying from 10,000 to 25,000 men in the Valley; and a fourth in Western Virginia, which aimed at Stanton and Lynchburg, and threatened Lee's communications to the westward, as Butler should have cut the only southward line.

On May 15 Sigel, moving up the Shenandoah with some 10,000 men, was encountered at Newmarket by Breckenridge with a small Confederate force, and routed. Averill and Crook, who commanded in Western Virginia, were as completely, if less ignominiously, beaten. Sigel was removed and succeeded by Hunter. Breckenridge having been withdrawn, and there being nothing deserving the name of an army in his front, Hunter ventured to advance, achieved what he called a victory at Piedmont, and, joined by Crook and Averill, proceeded with 20,000 men to seize Lexington and burn part of the town, and especially the Virginian Military College, its buildings and library. A Confederate force less than half his own strength being despatched to meet him, Hunter fled precipitately into Western Virginia, unpursued, but leaving his road strewn with dead or worn-out horses, and for the time almost dismounting his cavalry.

A force of above 150,000 men was closing from the east and south upon the defences of Richmond and Petersburg, the latter so hastily thrown up, the whole so long and so feebly manned, that the better their character is understood, the stranger it seems that the one army should have held them for months, the other flinched from an immediate attack.

They were at best a mere line of ditch and parapet, strengthened here and there by open redoubts, eight to ten feet in height and perhaps twelve or fifteen in thickness at the base. The besieging armies had everywhere within a few miles inlets and harbours commanded by their fleet, affording impregnable shelter to their magazines and refuge in case of partial disaster. Richmond lay immediately on the northern bank of the James, which thence flowed almost directly southward. Petersburg was similarly situated on the south of the Appomattox, which fell a few miles below into the estuary of the James. Along its southern bank ran the railway to Lynchburg. To the south ran the Weldon railroad, communicating with the Carolinas. From Richmond, the Danville railway intersected or joined the Lynchburg line.

On June 14 another attempt was made on Petersburg, which seemed to contain no force capable of offering resistance. But the Federals failed to push on, a part of the Confederate army came up, and after three days' fighting, during which Grant hurried up vast reinforcements, the Federals were repulsed with the loss of 9,000 men. On June 21 they attempted to push round to the south-west of Petersburg and cut the Weldon railroad. General Hill's corps, less than 20,000 strong, fell upon the Second and Sixth Federal corps in the course of this movement. Hancock, who should have been in command, had been disabled by a wound, and the Federals were defeated in the open field on the 22nd and 23rd by an enemy not more than half as strong, with a loss of 4,000 men. Wilson's cavalry, pushing far to the south, escaped the Confederates, and cut up a considerable part of the Weldon and Danville railroads. In his retreat Wilson was encountered by an inferior force, and routed with the loss of all his artillery and trains and fully 1,000 men. His achievements, easy as they were, must have been grossly exaggerated; for in three weeks the injured railways were in working order.

The besieging army dared not assault the Confederate lines, and proceeded to counter-entrench itself and push a regular line of works, much stronger than those to which

they were opposed, to the south and west, with a view of ultimately reaching the Appomattox, completely enclosing the garrison of Petersburg, and falling on the rear of the Army of Northern Virginia. At the point where the two lines approached nearest they were divided only by a deep ravine. Here, on the north-east of Petersburg, a mine had been dug right under the Confederate lines, with a shaft five feet in diameter and a lateral gallery running for eighty feet under the Confederate defences. On July 30, at 3.30 A.M., this mine was to be exploded, and the explosion to be followed by an assault sustained by 50,000 men, equal to the whole Confederate army guarding the twenty-five miles of defensive works round Richmond and Petersburg. Between the assailants and the town there was an untenanted hill sheltering the latter from view, and a Confederate force of at most a few hundred men. Burnside's corps were to form the advance; the actual storming force, some 10,000 strong, was led by General Ledlie.

Eight thousand pounds of powder exploded with an effect which appalled both armies, and paralysed every man on either side for some five minutes. To the astounded Confederates it seemed as if the Day of Judgment had arrived without warning. The whole atmosphere was one sheet of flame; two hundred feet of their works were blown to atoms, with their artillery and half a Virginian regiment. The stormers rushed in, followed by a negro brigade, better qualified to enhance the horrors of the storm than for any military purpose. Ten thousand men held the gap; on their left flank were a few disorganised Confederates, in their front no obstacle whatever. Forty thousand comrades were at their back. But they did not advance. One General was not to be found, another was hiding in a bombproof; their chief was sending messages to the front to know why they did not move, to the rear to assure Meade that they could not move. 'What hinders you?' asked Meade indignantly; and Burnside had no reply. Hour after hour passed. The Confederates had no reinforcements within reach; only a few hundred men stood fast on the flank of the army that was

yelling, shouting, howling and hanging back in full possession of their lines. Why did not Burnside go to the front and learn for himself why his men did not move? None can say. Longstreet or Hancock, if blocked by the division that held the gap, would have poured a whole corps over the lines on their flank. Meanwhile a Confederate brigade was falling back *man by man* from a distant part of the lines, lest their movement should be discerned by the enemy and the position they had abandoned carried without resistance. At last, long after the day had broken, the head of a grey column was discerned moving through a covered way that skirted the height above mentioned. They deployed, received a scattering volley from the ten thousand in their front, and poured in their own fire. Down came the bayonets, and a long steel-tipped line charged a fivefold force, hurled it in panic confusion through the crater, down the glacis, over the edge of the ravine; and then fell back, unable to move without treading on wounded, dying, trampled or smothered enemies, and regained their lines.

Such was the exploit which has crowned General Mahone with a fame that no subsequent errors can obscure; such the darkest disgrace incurred by the Army of the Potomac. The whole story is simply inexplicable. What power had smitten 10,000 Federal soldiers with moral paralysis, their corps commander with imbecility, and his able superior with such weakness or slowness of judgment that he failed to repair the astounding errors of his subordinates, no court-martial could discover, no historian can venture to pronounce. The Confederates with more than usual reason ascribed their deliverance, when to human eyes all hope was lost, to the direct intervention of the God of Battles. Burnside received leave of absence. Subordinate defaulters were more severely visited. Four or five thousand Federals were killed, wounded or captured, and Grant himself could only deplore that an assault which promised such a brilliant success had terminated in disaster.

This severe check seems to have cured Grant of his taste

for 'pounding,' 'pegging away' or 'fighting it out on a line' where he was sure to find the enemy strongly posted across his front, sure moreover to gain nothing that could not more easily be gained without serious fighting. During the autumn and winter the Army of the Potomac fought with the spade rather than with the rifle. Its operations were slow, uninteresting, inglorious, but all the more critical and decisive. Its cavalry wasted the country from which Lee drew supplies; its infantry, turning by force of overwhelming numbers the right flank of an enemy compelled to occupy a line of some thirty miles, pushed gradually forward to the west, cutting the Confederate lines of communication, entrenching itself across them, and slowly but surely working its way to the south bank of the Appomattox above Petersburg. Having reached this point it would be able to strike Lee's army in rear and cut his *last line* of retreat. Its programme was impeded by several sharp encounters, in nearly all of which it was worsted; but every defeat was retrieved by irresistible numbers. The Weldon railroad was cut, and a line of strongly-manned counter-entrenchments gradually enclosed the garri-son of Petersburg. This consisted of Hill's corps. Lee, transferring his immediate presence to each threatened point of his lines, always anticipated the moment of danger, and 55,000 men kept 180,000<sup>3</sup> at bay.

There was no moment, from September to April, at which a vigorous attack in force could not have broken through those thinly guarded lines; none certainly at which two or three such attacks at different points, distracting the attention and dividing the scanty force of the Virginian army, must not have been successful. Grant speaks with singular *naïveté* of his original fear of the enemy, of the lessons during his earliest operations in the West which taught him that the enemy was as much afraid of him, and implicitly ascribes his ultimate success to the fact that he was not, as his predecessors had been with reason, mortally afraid of General Lee. But if he is to be judged by his actions, the defeats of the

<sup>3</sup> Including both Grant and Butler.

Wilderness, Spottsylvania, Cold Harbour and the so-called Crater had impressed him with a sense of inferiority, a belief in the practical invincibility of the Army of Northern Virginia and its renowned Commander-in-chief, quite as profound as that which had kept Burnside inactive on the Rappahannock, had paralysed Hooker at Chancellorsville, and had prevented McClellan and Meade from molesting Lee's retreat from the fields of Antietam and Gettysburg. He overrated Lee's strength, it would seem, by at least one-third; but he knew that the forces under his own immediate command, to say nothing of those which he could call up at any moment, outnumbered his antagonist's by more than two to one. The real disproportion was very much greater.

The same odds were thought essential and generally secured, the same tacit acknowledgment of the quality of the Confederate soldiery was made, in other and for the moment much more exciting and interesting, if not more critical fields. Even in Virginia the scene of action, the military interest of the conflict, shifts from Petersburg and Richmond to the Valley of the Shenandoah. Hunter's force, given by Federal returns at from 26,000 to 32,000 men, had—at the mere approach of Early and Breckenridge, whose total can never have reached 18,000, and probably never exceeded 12,000 or 15,000—fled across the Alleghanies into Western Virginia. Sweeping other forces of the enemy before him, Early cleared the Valley, entered Maryland, collected provisions and forage, levied contributions, defeated General Wallace at Monocacy, and on July 11 actually appeared before the entrenchments of Washington. That city was now so strongly fortified that a serious attack upon its works might seem to require a larger force than the whole of the Virginian armies could muster. They could have been held by the untrained defenders of Bunker's Hill against such sudden assault as Early could have attempted. But once more the sight of Confederate uniforms on the left bank of the Potomac spread panic throughout the North. The Government piteously called for help, and two corps detached from the Army of the Potomac

entered Washington in time to revive the spirit of the frightened Cabinet, and dispense with the services of the yet more frightened militia and reserves who garrisoned the capital, before Early could take advantage of their dismay. The Confederate General was of course unaware of their condition. No veteran soldier was likely to realise such panic demoralisation on the part of men with arms in their hands. Moreover, on actually arriving before it, he saw that Washington had been reinforced. The troops in his front were not the raw levies, half-trained recruits and confused detachments which had formed the garrison when he commenced his march up the Valley. Consulting his able lieutenants, he came to the just conclusion that he could not possibly force the powerful works before him without a loss which must expose his army to total destruction if met or subsequently assailed by a disciplined force. He fell back, slowly and irresolutely followed, carrying with him a large amount of much-needed supplies, having reshod and partly reclothed his troops at the expense of the enemy; recrossed the river and returned down the Valley. Crook, with forces largely exceeding Early's, followed the retiring Confederates, encountered them at Kernstown, near Winchester, and was completely defeated. Early's cavalry cut the telegraph lines in several directions, swept into Pennsylvania and demanded a ransom in gold or greenbacks from Chambersburg. When refused the town was burned. The frenzy of rage and terror excited by this one act of unquestionably righteous reprisal through the Northern and Border States was natural enough. For the declamation of party, and especially of military, historians it is less easy to find excuse.

So great was the terror excited by Early's position and achievements that Grant himself—who, with the exception of Sherman, the only victorious and the last available General at Mr. Lincoln's disposal, was practically absolute in military matters—resolved to detach Sheridan to take the command in the Valley, overwhelm Early, and render the route by which Washington had been repeatedly threatened unavailable




for the future to Confederate armies. Federal returns show that the force under Sheridan's command amounted to scarcely less than 70,000 men. He himself estimated the enemy's strength at little more than 20,000, but did not dare to attack till that force should be weakened by detachments recalled to the defence of Richmond. He lay inactive, wasting and plundering the country within his reach, till September 15, when he learned that Early's force had been reduced, by the recall of a large part of his infantry and some of his cavalry, to a total of at most 15,000 men, and that these numbers were scattered along a line of undue length to the northward of Winchester. Sheridan must have been weakened, if it be true that he had only thrice the force opposed to him. On September 19 was fought the battle of Winchester or of Opequan Creek; in which, after a desperate defence against a front and flank movement, the Confederates gave way. The Federals lost 5,000 killed, wounded and missing; the Confederates about 4,000, of whom 2,000 were prisoners cut off by the overwhelming numbers of the enemy.<sup>6</sup> Early fell back on Fisher's Hill, some ten miles to the southward; and here Sheridan for the first time used with true strategic skill his numerical advantage, openly threatening the Confederate army with a far superior force, while marching one equal to its whole strength upon its left flank and rear. On September 21 he attacked in front, while one-third of his army, already concealed in the Confederate rear, burst from its ambushade. The victory was complete. No troops in the world could have stood or retreated in order when caught in such a trap. This victory of 45,000 men over fewer than 15,000 was received with a burst of somewhat undignified exultation not only by Mr. Lincoln but by Grant and Sherman themselves. As much powder was fired away in boastful salutes as had been expended on the field. From the mouths of fifteen hundred guns the President and Lieutenant-General proclaimed that one Confederate soldier was worth

<sup>6</sup> Such is the authentic Federal account. The value of Mr. Draper's narrative is again illustrated by his adding 50 per cent. to these figures.

three Federals. But if threefold numbers could secure victory, threefold numbers could be placed at the command of every Federal General.

The use made of the victory was consistent and characteristic. By orders from Grant himself, Sheridan wasted the whole Valley. It was the boast of the North 'that if a crow wanted to fly down that Valley he must carry his provisions with him.' The richest and most prosperous region south of the Potomac was deliberately turned into a desert. Sheridan reported that he had destroyed 2,000 barns filled with wheat, hay and farming implements, seventy mills filled with flour and wheat, more than 4,000 cattle and 3,000 sheep, and carried off a large number of horses. This was perhaps his most popular exploit, to which more than to his part in intercepting Lee's retreat he owes his subsequent fame and the command-in-chief of the Regular Army of the Union.

Early's troops were by no means so demoralised as the enemy supposed, as even a veteran army might well have been by such a defeat. After several indecisive combats, a pitched battle was fought at Cedar Creek on October 19. During the first hours of that day the Federal army, despite its vast superiority of strength, was decidedly worsted. The skill, daring and desperate determination of the Confederate attack hurled the enemy back at one point after another, capturing twenty-four guns and 1,400 prisoners. But their strength was worn out by the exertions which alone could have won success on the offensive against such odds. Sheridan, who had been absent during the first part of the fight, rallied his troops, and the exhausted Confederates gave way. Their loss scarcely exceeded 3,000, that of the victors was nearly double; a proportion which, together with the retention of Early's prisoners, shows how tremendous was the onslaught of the Confederates, how decisive the advantage which weakness prevented them from completing; while their loss of guns and of flags proves how completely they were overwhelmed when once Sheridan brought his threefold numbers to bear. The Confederate campaign was in itself finally unsuccessful; but



it had detached to the Valley forces thrice as great as Early's, helping to hold inactive the Army of the Potomac, and had contributed more, perhaps, than even the severe defeats and tremendous losses of Grant's first Virginian campaign to the despondency of the Northern people.

That despondency reached its lowest point when, after threatening Washington and foraying in Pennsylvania and Maryland, a small Confederate army kept Sheridan's enormous force at bay between Winchester and the Potomac for several weeks. About this time the price of gold reached 250; the paper dollar, the only currency of the North, was worth but forty cents. In the worst crisis the price ran up to 270 and 290, and is said at one awful moment to have touched 300, threatening half Wall Street, not to say half the firms of New York, Philadelphia and Boston, with bankruptcy. The speculators for a rise were defeated by a manœuvre of the Secretary of the Treasury, who at the critical moment threw a vast quantity of gold held by the Federal Government upon the market. Such an intervention in Stock Exchange transactions would elsewhere be considered worse than questionable; but as the interests of party were concerned, as the 'Bears' took the sanguine or Republican, the 'Bulls' the despondent or Democratic view of the situation, the interference of the Federal Government on behalf of the former was applauded as at once a sharp financial trick and a stimulus to the patriotism of the Exchange.

The victory of Sheridan contributed not a little to retrieve the damaged credit of the Republican party, and their extravagant exultation may perhaps be explained by their sense of the political import of an exploit by no means remarkable in a military point of view. Mr. Lincoln had no popular rival in Congress or in the Administration, and Grant had yet to achieve the success which, justly or unjustly, placed him indefinitely above all military competitors. In the Presidential campaign of 1864, therefore, the former was once more the candidate of the Republicans; the Democrats rallied, with real or affected enthusiasm, around M'Clellan. But

nearly all the great Democratic States were either self-disfranchised by secession, or crushed under the iron heel of military despots like Dix, Schenk and Butler. An election, in which one candidate controlled several States by naked force, and admitted or excluded at pleasure the votes of others, was a political farce; but it may be allowed that Mr. Lincoln was on the whole the *bonâ fide* choice of the States which voluntarily adhered to the Union. In November 1864 he was chosen for a second term, to commence on March 4, 1865; and Andrew Johnson of Tennessee, an ex-tailor and stump politician, was complimented with the Vice-Presidency as the fittest representative of Southern Republicanism whom the dominant party could select. Their choice was very limited; and 'Andy' was at least honest.

## CHAPTER XXIII.

## THE LAST CAMPAIGNS OF THE WESTERN ARMIES.

Hood's Plan—Fails *ab initio*—Battle of Franklin—Battle of Nashville—Hood's Army Destroyed—Sherman's Devastation of the Carolinas—Johnston replaced in Command.

Hood, as has been said, had thrown himself upon Sherman's communications, and, leaving Georgia and the Carolinas undefended, had striven by an attack in rear, an approach to the borders of Kentucky, to recall the invading army from Atlanta. Mr. Davis repudiates his responsibility for a disaster due to the substitution of Hood for Johnston. Sherman knew how small must be the force at Hood's command, how vast an army, before it could approach him, Thomas could collect at Nashville. The entire strength at command of the latter was fully 80,000. Hood's nominal strength was 36,000; the force which he was actually able to bring into the field in the decisive struggle did not exceed 27,000. The first serious battle was fought at Franklin, whither Schofield, commanding the advance of the Federal army, fell back; and where he stood fast and fought to cover the concentration of Thomas. The Confederates attacked his entrenchments with that desperate valour which in this campaign, as in so many others, had to compensate for inferiority of numbers and disadvantage of position. After several hours of hard fighting and tremendous carnage, they had at nightfall achieved and partially retained a commanding position, but at a sacrifice they could very ill afford; and at midnight on November 30 Schofield fell back to Nashville, having lost by his own confession nearly 2,400 men. The desperate courage and reckless devotion of the Confederates is shown by the list of eleven Confederate Generals killed or

wounded. Among the former was Cleburne, once a British private, and one of the best of Hood's lieutenants.

Thomas held an enormously strong and heavily fortified position round Nashville with probably 70,000, certainly more than 60,000, men. With fewer than 28,000 effectives it would have been extreme rashness in Hood to attack such a force in the open; to attack it behind entrenchments and natural fortifications would have been sheer madness. Yet if he could not attack, it is difficult to see with what intention he remained for many days in front of an army certainly twice if not thrice as strong as his own, and sure to be reinforced, while he himself was far beyond the reach of support. He threw up a series of counter-works, a process which Thomas did not interrupt. Early on the morning of December 15 the Federal commander, moving out obliquely, so as to strike the Confederates in flank, delivered a general attack. At nightfall the Confederates had been driven back, after hard but indecisive fighting, from a part of their lines. On the next day, outflanked and taken in left and almost in rear by an enemy threatening to cut their last line of retreat, assailed also in front at several points by greatly superior numbers, the Confederate army was rather enveloped and crushed than broken, and the field was hopelessly if not ingloriously lost. Routed they were not, as in their retreat they stood and fought whenever they reached a tenable position; and it was not till December 27 that, having crossed the Tennessee, Hood found himself finally delivered from the enemy's pursuit.<sup>1</sup> General Thomas claimed to have taken 13,000 prisoners, Hood to have reassembled in the last days of the year more than 18,000 effectives. Probably Hood's total loss—killed, wounded and missing—was less than the number of prisoners claimed by his antagonist, but it amounted to nearly half of his army; and it may be doubted whether more than 10,000 men of that

<sup>1</sup> Draper claims that the Confederate army had been 'annihilated.' Another Federal estimate alleges that of the 28,000 men engaged at Nashville 25,000 afterwards reinforced Johnston's army in South Carolina. The truth is of course intermediate between these two contradictory extravagances, both inspired by the same bias.

which had been the main Confederate army of the South-West were ever again available for active service. Thomas's losses at Nashville were set down at 3,000, of whom only 400 were killed; a proportion which, as he can have lost no prisoners, throws doubt upon all his figures. His total loss during the campaign exceeded 10,000 men.

On February 1, 1864, Sherman, with more than 60,000 men, commenced his northward march through the Carolinas, a march whose first and chief object was the ruin of the State which had incurred the vindictive hatred of the Northern people and Government. He commenced the work of devastation as soon as his army entered South Carolina. On February 7 General Wheeler wrote to General Howard: 'If the troops of your army be required to discontinue burning the houses of our citizens, I will discontinue burning cotton.' Sherman replied that he had given orders not to burn the houses which were inhabited by peaceful citizens, and thought his orders were obeyed, though the officers of his own army have borne witness to the contrary.<sup>2</sup> But his true intent betrayed itself in the declaration that all Southern cotton was 'tainted with treason' since December 1860, and 'lawful prize of war.' Along his whole line of march his army was attended by numerous bands of incendiaries, foraging, pillaging and burning on their own account. Hardee was commanding in Charleston, and Beauregard was doing his best to collect an army. Wade Hampton, who had been detached to the rescue of his native State, and Wheeler were unable to offer serious resistance, and Sherman without a battle reached Columbia, the capital of the State, and one of the most beautiful cities in the South.

Wade Hampton denies that he burned the cotton, to which the destruction of the city has been ascribed by Sherman's apologists. His word is entitled to full confi-

<sup>2</sup> Draper, vol. iii. p. 543. Also Sherman's contemporary letters, and Scribner's *Campaigns*, vol. x. p. 36. As to cotton, see *Memoirs*, vol. ii. p. 264, etc. The quoted despatches are full of such phrases as 'We have swept the country well from Savannah to here' (Wilmington), and other evidence of wilful and wholesale destruction and pillage.

dence; the more so that, save for the danger to the town, it would have been his duty to burn what otherwise would be seized by the enemy as prize of war. After Sherman had entered the place a number of private houses were fired and the city burned to ashes. From this disgrace he strove to clear himself at Hampton's expense. It is certain that the fires were lighted, and those who attempted to rescue their houses were driven back by his soldiers with the sanction of their officers; clear that Sherman made no attempt to restrain and no serious effort to punish acts he afterwards thought it prudent to disown.<sup>3</sup>

Hardee was compelled to evacuate Charleston. The Federal officer in command of the beleaguering forces sent a party to hoist the Federal flag on Fort Sumter at nine A.M. on the fourth anniversary of the first action forced on the Confederate States with a parade which, under the circumstances, was hardly dignified or soldierly. On February 22 Kilpatrick reported that eighteen of his men, taken in the act of robbery and pillage, had been killed, or, as he called it, murdered, by Wade Hampton's cavalry. The killing of armed soldiers under any circumstances was of course fully justifiable. No one knew better than Sherman himself that it could in no case be a crime, much less a murder, and in ordering the execution of eighteen Confederate prisoners in retaliation he committed what the universal usages of war brand as murder. At last, with a force which at the lowest Federal estimate amounted to at least 65,000 men, Sherman learned that he had a hostile army in his front. All the forces which the Confederates could collect from every quarter for the protection of North Carolina had been placed under the command of General Joseph Johnston. They were far too weak to fight a pitched battle, even at the odds to which the Southern soldiery were accustomed, but strong enough to

<sup>3</sup> Sherman expressly contradicts himself by saying that in his belief the fire was accidental. The sufferers declare that Federal troops prevented them from putting it out. Sherman *boasts* that a plantation belonging to an Englishman 'was pillaged, *of course*.' He wrote with the knowledge that Hampton had flatly denied his accusation. - Sherman, ii. chap. xxii.



check the advance of the enemy and restrain the license of his incendiaries. A sharp encounter took place on March 21 at Mill Creek, at which the invaders lost some seventeen hundred men. Johnston fell back to protect Raleigh, the capital of North Carolina, and delayed Sherman's movements until April 10, when the devastating army renewed its advance. On the 14th the news from Virginia arrested their march and put a close to their destructive operations.

## CHAPTER XXIV.

## ‘HABET!’

The Net Closed—Five Forks—Fall of Petersburg—The Six Days’ Retreat—Soundness of Lee’s Strategy—How Baffled—Appomattox Court House, April 9, 1865—Character, Conduct, and Temper of Lincoln—His Assassination—Surrender of Johnston—Capture and Treatment of Davis.

It had been long obvious that the fate of the Virginian army was a mere question of time. It was, with the exception of that which Beauregard and Johnston were striving to collect, the last Confederate army in the field east of the Mississippi. Victorious in Tennessee, absolute masters of that State, of Kentucky and of Western Virginia, the Federals could bring upon the rear of the Army of Northern Virginia forces greater than those which, outnumbering it already fourfold, lay along its front. An equal force might if necessary have been mustered in Maryland. Georgia was lost, and South Carolina lay at Sherman’s mercy. Lee was in fact enclosed by a cordon of half a million men, extending round Eastern Virginia and the Carolinas, and capable of being drawn closer and closer around the remaining forces of the Confederacy—Johnston’s and Lee’s; not amounting in all to more than 80,000 men. But a nearer and more obvious fate controlled Lee’s immediate calculations. He had to defend, against an army of at least 125,000 men in his immediate front and half as many more within call, a line of thirty miles with a force estimated at from 45,000 to 50,000 men; while Sherman’s 65,000 men might close at pleasure upon his rear, sweeping Johnston’s motley host of perhaps 30,000 men before them. The last chance was to evacuate Richmond and Petersburg and force a way to rejoin Johnston; a very forlorn hope with an army of threefold numbers, well

fed, well clothed, abundantly provided with transport, and with an enormously superior cavalry, sure to close upon his rear. The winter had been spent in a comparative inactivity harder to men so situated than even disastrous warfare. The army and the people within the lines, scantily and precariously supplied from an exhausted and constantly narrowing district, were on the verge of starvation. Shelterless, half-clothed, barefooted, the troops were compelled to guard their lines by night and day. Neither relief nor rest were possible; the whole strength of the army was needed to present even the appearance of an effective skirmish line along the front.

On February 5 Grant attacked some Confederate works at Hatcher's Run, and was repulsed with a loss of 2,000 men. On March 25 a desperate sally under Gordon—shortly afterwards promoted to the command of Hill's corps—with 5,000 Confederates, surprised the important outwork of Fort Steadman—within a hundred yards of the Confederate lines, so closely had the counter-entrenchments been pressed. It was a forlorn hope: simply because 5,000 men could not hold the works against 25,000, and Hill could spare Gordon no further supports if the Federals should rally. This they did, bringing to bear upon the works and upon the line of retreat a concentrated fire of artillery that no troops could face, backed by enveloping volleys from their countless infantry. Two thousand Confederates regained their lines; 3,000 were killed, wounded or captured. On the 31st a last desperate sally was made by the cavalry under Fitzhugh Lee and two weak divisions of infantry under Pickett, in the direction of Five Forks, to the south-west of Petersburg. The Confederates were again at first successful, driving the advance of Sheridan before them, seizing and occupying for the night a position far within the Federal lines of the previous day. But on April 1 they were surrounded and overwhelmed by the enormous masses which Grant could throw upon any point he pleased. The very success of the previous day, the distance to which they had driven back the enemy, proved

fatal. Crushed, enveloped and broken, they were driven back for more than six miles, losing four guns, a multitude of killed and wounded, and a considerable number of prisoners.

This victory, proving the extreme weakness of the enemy and the desperate resolves to which they were driven, gave Grant courage to attempt next morning what might have been achieved at any time within the last three months. An assault in force delivered at break of day discovered a thin line of skirmishers or sentries guarding the Confederate works; the same line which, since the affair of the Crater, had held the whole Army of the Potomac at bay. There was no battle, for there were none to fight it. That thin line of sentries was the whole garrison of Petersburg, all that remained of Hill's heroic corps. Lee and Hill rode forward to rally their men; but, meeting with no resistance, the Federals had swept over the lines and towards the Appomattox with such rapidity that the latter was immediately in their midst, and was shot dead. A sharp encounter had taken place at another point, but each Confederate force that attempted a stand was instantly enveloped by the rush of unresisted numbers upon its flank and rear. The Confederate army was not broken, for behind the 'skirmish line' there was nothing to break. *Two hundred* Mississippians and Carolinians, cut off by the sudden rush of the enemy, threw themselves into a tiny redoubt outside the lines, a mere open earthen square. A whole Federal division swept on over an open plain to the attack. Again and again that division was hurled back by scarcely one-twentieth of their number. When at last they crowned the feeble rampart, not a score of its defenders could hold a rifle. The wounded had loaded and handed up their weapons to those still able to stand. The destruction of the tiny garrison had cost the assailants no fewer than *five hundred* killed and wounded.

The relics of Lee's force—the right wing of the Virginian army—were thrown back upon the heights at whose rear flowed the Appomattox. But so terrible was the sight of a Confederate force in line, so tremendous their prestige,

that an enemy who could have easily thrown them into the river paused in all the excitement of victory, and allowed them to hold their own through the day and retreat under cover of night. Lee, who had been present throughout, called up Longstreet's corps, or such part of it as was beyond the river, to his aid. According to Grant, there was heavy fighting during the day, by which his army gained nothing. On the same night Ewell, who commanded at Richmond, withdrew with his forces. The Confederate Government fled, carrying with it or destroying the archives, blowing up ships, bridges, stores and magazines. On the morning of April 3 General Weitzel, who commanded the Federals on the north of the James, entered the city and put down the frightful disorder which the release of captives and criminals, and the license of the riff-raff of camp-followers and negroes, had produced.

The exact force of the retreating army it is of course impossible to ascertain. The effective strength of the defenders of Richmond did not, when Lee fell back within the lines, exceed 55,000 men. The remaining Confederate forces in Virginia, in the autumn of 1864, may possibly have brought up the total to 70,000 or 75,000 men. Early's losses in the campaign of the Shenandoah were severe; Lee's, during the several combats from the Crater to Five Forks, must have exhausted all and more than all the strength drawn or driven in from the Valley and other quarters. At the end of March 1865, a few scattered posts, a few guerilla bands excepted, the whole Army of Northern Virginia was gathered within the lines, and numbered at most 45,000 men. Of the exceptions the most important was the partisan battalion under Mosby, which even during the closing days of the war kept the Federals between the Rapidan and the Potomac on the alert, harassed their outposts and pounced upon their couriers, trains and patrols almost within sight of Washington. Lee's numbers had been wasted by the hardships and perils of the trenches, by rations of Indian corn, pork and beef barely sufficient to keep body and soul together, without any of those comforts like tea, coffee, and spirits which are all but neces-

saries of life to civilised soldiers, sorely tried by night and day duty, exposure and fatigue. Desertion had been frequent, not through weakness or lack of zeal, fear or despondency, but through the intense anxiety of Carolinian and Tennessean soldiers for homeless and starving families. It is needless to say that Generals compelled to withdraw from broken lines at a few hours' notice, in the presence of a victorious enemy, whatever the resolve and discipline of their men, could carry with them but a part of their strength of yesterday; that numbers of stragglers, willing or unwilling, prisoners, guards intercepted or compelled to remain till their retreat was cut off, must have been left behind. Yet more needless to observe that no trustworthy record could be kept during the six days' retreat. The only available lists are those of the numbers paroled, and these include of course every man for whom the Generals in command were responsible, every man they could bring within the protection of a military capitulation which afforded at least temporary security from political penalties.

Lee's object was to reach Johnston and concentrate a Confederate army strong enough to hold out for terms; Grant's immediate aim, to interpose between the relics of the two Confederate armies, and, throwing his irresistible numbers upon the broken forces of Lee, to compel their surrender. That in face of such a pursuing army, of a cavalry stronger than their own force of all arms, the shattered Army of Northern Virginia should have made good its retreat for six critical days reflects the highest credit on the skill of its commander and the discipline and devotion of his men. Hope was gone. The Confederacy had already fallen. All that remained of it east of the Mississippi—a few isolated garrisons and irregular bodies in the South-West excepted—was the remnant of Lee's splendid army, and that gathered by Johnston from the relics of a dozen broken forces and rescued garrisons. To reach the distant refuge which was their immediate goal must have seemed to Lee's soldiers little better than a dream:—a forlorn hope as desperate as any

on which a few hundred volunteers, the picked heroes of a veteran army, were ever induced to venture. Yet the attempt was as gallantly carried out as daringly conceived. The railways forming the sole line of retreat met at Burkesville. Here the columns were to be concentrated, here they were to meet a train filled with supplies barely sufficient to subsist the army till, anticipating the enemy, it should reach the magazines which were now its last dependence. Sheridan, moving with his cavalry and a picked force of infantry parallel to the left flank of the Army of Northern Virginia, cut them off from the south before reaching Burkesville. Lee had then no chance but to push for Lynchburg and Danville, and, gathering his remaining resources, endeavour from thence to carry out his junction with Johnston. Events proved that, but for one fatal accident, the first part of this design, desperate as it seemed, would have been effected. The scanty rations carried in the knapsacks of the starving Confederates were exhausted; and a bitter disappointment, natural enough in the confusion of such a disaster, awaited them. It is said that the train had been ordered on by telegraph from Richmond to take up the flying Confederate Government with the moneys, stores, and secret papers which it was their duty, if possible, to save. The order had been obeyed; the train had gone on without unloading; an error for which, if it occurred,<sup>1</sup> none but the subordinates immediately in charge were responsible; which neither Davis nor Breckenridge—one of the finest soldiers in the Confederate army, now Secretary at War—had ever contemplated.

This failure of supplies, whatever its cause, was fatal to the retreating army. They lost all and more than all that they had gained by forced marches, in the absolute necessity of waiting for some thirty hours to gather whatever stores might be found within their reach. By the time they renewed their retreat, with supplies so inadequate that men were reduced to chew the young shoots of the trees, to

<sup>1</sup> See Mr. Davis's vindication, throwing great doubt on the whole story.—*Rise and Fall*, vol. ii. p. 671, *et seq.*

struggle in search of anything that might partially relieve their hunger, Sheridan had come up with and even passed them. Ewell's corps was overtaken, headed, cut off, and the greater part of his men compelled to surrender. Gordon and Longstreet—who had recently rejoined his chief, his severe wounds scarcely healed—commanded the scanty relics of two corps which still struggled to fulfil the last desire of their adored leader. On April 7 and 8 partial engagements, in which the assaults of the exultant Federals were repelled by the desperate valour of men to whom death was a release from suffering, an escape from humiliation, warned them that the enemy was closing on their flanks and rear.

Grant, by flag of truce, called upon Lee to surrender and spare the further effusion of blood; but the Confederate Commander-in-chief, faithful to the last, and obedient as any private in his army to the orders of his Government, still deemed it his duty to persevere. On the evening of the 8th he was within twenty miles of Lynchburg; and could he reach that point there was still a hope, not indeed of victory, but of prolonged resistance. The thirty hours lost at Burkesville decided the race. Sheridan's cavalry under Custer were pushed forward, reached Appomattox station, and there seized the trains which had been sent from Lynchburg to meet the Confederate advance. At daylight on April 9 Sheridan's infantry had reached the same point and headed the Confederate army. Lee, hoping against hope that the force in his front consisted solely of cavalry, sent Gordon forward to break through it; but behind the horsemen, who gave way before his charge, were the bayonets of two infantry divisions, while, as he well knew, the rest of the army was closing around him.

*Habet!* the fatal cast is made,  
The well-poised net falls true:  
Hampering at once the trenchant blade  
And the strong hand that drew.

In him who, spent and snared, lies low,  
Hate's self must own a noble foe!



Further resistance would have been suicide, not war. The position was more desperate, the net drawn closer, the force hopelessly enmeshed far weaker, the proportionate strength of the overwhelming enemy enormously greater than at Blenheim or Sedan. A white flag arrested Sheridan's impending attack, and Gordon sent a message to Lee, who, sitting by a camp fire upon a felled tree with Mahone and Longstreet, had already agreed that the failure of Gordon's attack must be the signal of surrender. Sadly anticipating his fate, the Commander-in-chief, whose usual dress was among the simplest in his camp, who seldom carried a weapon, had already put on a new uniform and wore the sword of honour bestowed upon him by the State of Virginia. Leaving Longstreet in command, he rode towards the picket line of the enemy, and there received a note from General Grant, sent in reply to one written by himself a few hours before, declining surrender but enquiring what terms Grant was authorised to propose. The reply intimated that the Federal Commander-in-chief had no authority to treat for peace, but that the terms on which peace could be had were well understood; that the South had only to lay down her arms.<sup>2</sup> Lee and Colonel Marshall, his chief of the staff, entered the largest of the five dwellings which form the village of Appomattox Court House, and awaited the arrival of the conqueror. Grant, with that ostentation of simplicity which (as Jefferson knew) appeals so effectively to the lower instincts of a democracy, described the contrast presented by the two Generals. The true breeding and soldierly simplicity of a typical gentleman was displayed in Lee's clean and correct uniform, his military hat, buckskin gauntlets, riding boots and sword. Grant reported that, having ridden that morning thirty-seven miles, 'I was in my campaign clothes, covered with dust and mud; I had no sword, I was not even well mounted.'<sup>3</sup> The details of his appearance, in the

<sup>2</sup> It is clear from this on what understanding the Confederates surrendered; but this point was yet more clearly brought out by the subsequent negotiations between Sherman and Johnston.

<sup>3</sup> This at the time. The account of the surrender in his Memoirs is in good taste and tone.

account of a companion, present a slovenly and unsoldierly figure.

But if deficient in the finer instincts of Virginian breeding, Grant showed a soldier's respect for a gallant enemy. No triumphal display, unbefitting the close of a contest whose honours lay mainly with the vanquished, gratified the exultation of victorious troops or the resentment of a faction; no military humiliation, no parade of piling arms or defiling before the conquerors, was imposed on the remnant of an army whose name will be remembered while martial courage and endurance are honoured among men. The arms, artillery and public property were, of course, to be handed over to the victors. The officers were to retain their side-arms, their private horses and baggage; and this provision was spontaneously extended to all those privates who owned the cavalry and artillery horses in their charge. For the rest, officers and men were to be paroled not to take up arms against the Government of the United States till properly exchanged; 'this done, each officer and man will be allowed to return to his home not to be disturbed by the United States authorities so long as they observe their paroles and the laws in force where they reside.' Nearly 28,000 men were paroled, but only 8,000 rifles, bayonets and sabres and thirty cannon were surrendered.<sup>4</sup> The effective force which laid down their arms at Appomattox Court House did not therefore number 10,000 men.

General Lee rode back to his command. 'Men,' he said, 'we have fought through the war together; I have done my best for you'—the unstrained, spontaneous utterance of a heart full of the unspeakable bitterness, the darkness and despair of the hour, yet in that supreme agony more than ever thoughtless of self and thoughtful of its trust.

The Confederacy had fallen. The war as an international struggle necessarily closed with the loss of the Confederate capital and the surrender of the Virginian army. But this

<sup>4</sup> It is absurd to suppose that the Confederates took pains to secrete or destroy their weapons; and the proportion of cannon is nowise excessive.

fact, clear as it appeared to those who looked back from the vantage-ground of six months' further experience, was by no means evident on the instant to the Federal Government, much less to the Northern armies and people. Least of all were the Northern Generals of opinion that their victory was complete. In their view the struggle was decided, but not ended. Even had Lee effected his junction with Johnston, there would have been no Confederate army in the field which could confront in a pitched battle the forces of Grant and Sherman. Its utmost strength could not have exceeded 60,000 men, starving, worn out, and very scantily supplied with ammunition. Upon their rear, whatever their point of junction, must have hung eighty or a hundred thousand men, flushed with success, fresh, well fed, well clothed, with boundless supplies and secure communications; while in their front lay the army of Sherman, half again as strong as theirs, and enormously superior in condition, in stores and in artillery. So splendid were Lee's exploits of skill and daring, so often had he extricated himself when the toils seemed to have closed around him, so desperate were the hazards from which he had come off triumphant, that the historian, like the antagonists who confronted him, fears to assign a limit to his resources, to affirm confidently that under the worst conditions conceivable he might not possibly have achieved a victory or found an outlet. But, regarding the apparent features of the situation, it seems that the last Confederate army must have staked everything on the chances of a single battle, in which victory should have been impossible and in which repulse meant ruin. The fear of the Northern Generals was not that they could not crush the Southern army in such a battle, or destroy it in a regular campaign; but that such troops under such chiefs might yet escape their grasp, and broken up into bands that could subsist upon the country, sheltering themselves among its swamps, bayous and forests, might maintain for months, perhaps for years, a guerilla war; which, while it would be utter ruin to the South, would strain to the utmost, and might possibly wear out, the spirit

of the Northern armies and the resolution of the Northern people. How weary were these of the war, Lincoln and Stanton, Grant and Sherman were well aware. Three out of the four at least were willing to concede almost any terms, military or political, that would terminate the conflict. And the ultra-Republicans, with Stanton at their head, could have offered no effective resistance to the President in a policy supported by the Democrats, accepted by the good sense and weariness of the North, and cordially approved by the victorious commanders in the field.

The last proclamation of President Davis shows that he still contemplated the possibility of a prolonged resistance, though in addressing a dismayed and despairing people he naturally exaggerated the chances and over-coloured the character of the war it was yet in his power to wage. The immediate and insuperable obstacle to guerilla warfare lay in the character and influence of the Confederate Generals. Neither Lee nor Johnston, probably none of their ablest lieutenants, would have consented to a useless and hopeless continuance of bloodshed, havoc and misery. Chivalric, high-spirited, generous and conscientious soldiers, they had fought not only while there was hope, but while they commanded regular armies capable of making a stand in the field or behind entrenchments. They would not have consented to command a banditti they could not control, to accept the responsibility of acts they could neither approve nor restrain; and if they pronounced for peace, few indeed of those who served under them would have said them nay.

Grant, Sherman, Lincoln and Admiral Porter had held a conference at City Point, the headquarters of the Army of the Potomac, on March 27, 1865. No notes of such a conversation written down by one or more of the interlocutors, even if we could be sure that they had undergone no subsequent revision, can be accepted with absolute confidence. No reliance whatever can be placed upon narratives composed by partisan writers or personal panegyrists with political or hagiographical ends in view, even as representing the general purport of that

which passed. Grant is said to have spoken but once, and that on a point of military detail. Silence would leave his hands free, and he had no occasion either to criticise or commit himself to the alleged views of the President. Porter's memoranda, professedly written at the time—confirmed by the silence of those whose subsequent conduct gave them a strong interest in contradicting them—ascribe to Mr. Lincoln a temper, tone and spirit diametrically opposite to those he had displayed from the commencement to the close of the war; but Sherman's subsequent action, and the concurrence of all the three survivors of that last Council of War, leave no doubt that the President really held the language imputed to him. 'Stop this bloodshed; get their surrender on any terms; what signify the terms so long as we get peace? Those people only want an opportunity to give up gracefully.'

I believe, in spite of the strange contrast with his former words and acts, that in this language the President was sincere. He had authorised glaring violations of the Constitution, military and civil misdeeds, which it has been my duty to record. But no one of the worst acts associated with his memory appears to have originated with himself. All that is clearly established against him is that he was a party to the treachery<sup>a</sup> by which his Government precipitated the war; that he was the steady patron of Butler, Banks, Milroy, and Hunter; and that his instincts were not revolted by their treatment of generous enemies and defenceless women and children. But it may be that Mr. Lincoln's personal disposition and character should be judged rather by his words than by his acts. Yet he could not adopt the retort of Charles II., far wittier than the epigram that called it forth, and claim that his words were his own while his actions were his ministers'. To him far more than to any of his successors, more perhaps than to any of his predecessors since Andrew Jackson, the significant terminology of American politics, of formal Congressional documents, of constitutional jurisprudence,

<sup>a</sup> See narrative of Seward's negotiations about Fort Sumter.—Book vi. chap. iii.

was literally applicable. The 'Executive' does not answer to the 'Crown' of English constitutional language; it designates the President individually rather than the Administration as a whole. Lincoln was the Executive; his Ministers were literally his servants, departmental chiefs absolutely subject to his orders. Such separate recognition and legal authority as now belongs to them, has been granted for the most part since the close of the Civil War. Every signal step, military and political, was taken under Lincoln's direction. For acts like the repudiation of naval paroles, Butler's insult to the women of New Orleans, the illegal seizure of Mrs. Lee's property at Arlington, the choice between starvation and perjury enforced upon non-combatants and women in occupied districts, the systematic plunder and incendiarism of the Western armies, Mr. Lincoln was so far responsible, that he could have prevented most of them, and punished all.

In him the policy of the Republican party had been incarnate; he reaped to the full the popularity of its successes, and was liable therefore to reap the harvest of its evil deeds. For the South, indeed, he was simply the chief of the invading armies, the representative of the conquering Power, which had endorsed his measures and relieved him of personal liability. Her natural hatred was directed against the North at large, or against individual oppressors and offenders; and of personal vengeance, save by military reprisal, no Southern statesman or soldier ever dreamed. To the malcontents of the North and of those Border States whose liberties he had confiscated by force or surprise, to the constituents of legislatures dispersed at the point of the bayonet, Lincoln held exactly the same relation as that of Napoleon III. to the French and Roman Republicans whose rights he had surprised or stolen. And in America, as in France and Italy, there were fanatics who held the slaughter of usurpers a public duty, analogous to the execution of a condemned criminal by process of law; the retribution most dreaded by such offenders, and most deterrent to lawless ambition. Theoretically, a majority of the Northern people would

have pronounced tyrannicide a virtue, and the man who should have forcibly suppressed the liberties of Maryland and Missouri, the personal rights of citizens throughout the North, a tyrant richly deserving the fate of Tarquin or Cæsar. America had applauded the judicial murder of Charles I. and Louis XVI. Patrick Henry and Josiah Quincy had incurred no popular censure by open or thinly-disguised instigations to political assassination. Southern chivalry rather than Northern morality shrank from the stain of cowardice which human instinct always attaches to enterprises, however desperate the hazard involved, directed against the life of an unarmed and unsuspecting enemy.

It is evident that Mr. Lincoln's conscience acquitted him of guilt, cruelty or vindictiveness, even in regard to measures upon which his warmest advocates have preserved a prudent silence. His position during the earlier years of the war was very different from that in which the victories of the Northern armies and the vote of the Northern people had now placed him. He came into power by chance rather than by choice, an uneducated or self-educated country lawyer; a man almost unknown, placed over the heads of veteran politicians and experienced party-leaders, with almost as little tincture of statesmanship as of war. It was natural that he should defer to the counsels of experienced Senators, the influence of the real chiefs of the party that had placed him in power; he may at first have supposed the worst acts recommended by his advisers to be at least legitimated by military law and usage. Had he appreciated either the execrations which went up from the lips of millions or the vindictive passions which festered in a few ulcerated hearts, he who had been so often awestricken at the approach of hostile armies would not have ventured almost unguarded through the streets of a captured city, or have driven and walked unprotected in the midst of a capital full of passionate Southern sympathisers, of outraged Marylanders, of the kinsmen and friends of those who had been insulted, exiled, imprisoned, executed without law or pretext, by or under colour of his authority. That responsibility had

sobered, that triumph had softened his own passions, that he no longer felt the implacable hatred of the injurer, entertained no fear of the far less bitter resentment of the injured, his simple unconscious fearlessness during the last few days of his life sufficiently proves. A man consciously thirsting for revenge would have been on his guard against the revenge he had provoked.

Half a dozen desperadoes—chiefly citizens of the State which above all others was naturally inclined to regard Lincoln not as an enemy but an usurper—were maddened by the final overthrow of the South, the triumph of the man they hated as the present incarnation of tyranny, the Cæsar, Cromwell or Napoleon of their day and country. At their head was John Wilkes Booth, a brilliant actor and a man of fiery temper, of bitter passions, of iron nerve, of dauntless courage. On April 14, 1865, Lincoln, his wife, another woman and his aide-de-camp, Major Rathbun, attended Ford's Theatre. About ten P.M., Booth, professionally familiar with all the passages of the building, entered Lincoln's box and fired a pistol within a few inches of his head, struck down Rathbun, stood at the front of the box, and exclaiming '*Sic semper tyrannis!*'<sup>6</sup> leaped on the stage. In so doing he caught his spur in a flag, was thrown down and his ankle broken by the fall.

The victim never even felt his death-stroke.

Sigh nor sob nor struggling breath  
Heralded his way to death.  
Ere his very thought could pray,  
Unannealed he passed away.

His head sunk in instant unconsciousness upon his breast, and amid the consequent confusion he was carried to a neighbouring chamber, and there a few minutes later expired.

If the language of his last days truly represented his feelings and his policy there was a bitter irony in the incidents of the death-scene; in the fate which assigned the last ministrations to the instigator of his worst measures, the chief author

<sup>6</sup> The spirit in which Americans of Washington's day regarded political assassination is signally exhibited in the device of Virginia—a dagger with the above legend.



of that vindictive, mischievous, corrupt party policy which presently reversed his last intentions. Edwin M. Stanton, Secretary at War, the bitterest and most ruthless Republican in the Cabinet, laid down the unconscious head and closed the glazing eyes.

Booth, despite his physical anguish, rose once more erect, faced the audience, exclaiming, 'The South is avenged!' dashed to the door, sprang upon a horse that stood ready and rode off. But for his wound he would probably have made good his escape. When compelled to abandon his weary horse he could go no further, and was forced to seek refuge in a barn or outhouse. Thither he was tracked and there surrounded. But his pursuers, eagerly as they desired to hang him, dared not close on the American Orsini, armed with a revolver. After repeatedly demanding his surrender, they stole within reach, and, taking him by surprise, shot him much as he had shot his victim.

While Booth undertook to despatch the President, one of his accomplices, Powell, forced his way into the chamber where Seward lay disabled by an accident, wounded his son, stabbed the Minister thrice with his bowie-knife, fought his way down the stairs, and escaped—to be afterwards taken and hanged. Three alleged accomplices—one a woman, whose guilt was more than doubtful—were executed with a vindictive parade of insult and ignominy. Three others were condemned to imprisonment for life; one of them a doctor, against whom there was scarcely any other evidence than that he had dressed Booth's wound.

The new Government, under Mr. Stanton's instigation, hastened to signalise their zeal, to exasperate and inflame the excited people of the North by an act, in my opinion, yet more infamous, implying even deeper depravity, than the crime they thirsted to avenge. Without obtaining or awaiting any tittle or shadow of evidence, they issued a proclamation imputing the instigation and arrangement of the murder to President Davis and several other leading Confederate statesmen. As if to show that they intended a political

murder as wicked and more cowardly than that committed by Booth, the Administration, after uttering the foulest of all charges against gentlemen of character and station fully equal to those of Palmerston and Peel, Guizot or Cavaignac, incited the pursuit of the fugitive leaders by setting a price of 20,000*l.* on the head of the Confederate President, and a proportionate sum on that of each of the accused; one of whom—the only one whose duty permitted him to do so, and who could hope to be arraigned on this charge alone—at once surrendered. Mr. Stanton had a few days before published another incitement to the zeal of the cavalry now scouring the South, by alleging that the Confederate President carried with him a large amount of public treasure. The party object was the same in both cases; to get at once into their power, while the angry passions excited by Lincoln's death rendered a fair trial hopeless, the chosen chiefs of a conquered nation. Stanton, who, since Chase had quitted the Treasury for a seat upon the Supreme Bench, and while the Secretary of State was disabled, was the leading spirit of the Government, had further political ends in view. He sought, by embittering the quarrel, as blood shed on the scaffold must have embittered it, to secure the ascendancy of that extreme Republican party to which he himself belonged, and to shape the necessary reorganisation of the South in its sinister interest. Mr. Lincoln is alleged by those present at the conference of March 27 to have expressed an earnest wish for the escape of the political chiefs of the Confederacy. In this, as in all else, Stanton did his utmost to thwart the policy of his dead leader.<sup>7</sup>

<sup>7</sup> Of these proclamations, and of the multitude of outrageous accusations diligently circulated by the Federal Government at the end of the war (*infra*, p. 524, notes), no record whatever will be found in Mr. Draper's history. When he wrote their utter untruth was generally recognised; and while professing to give an impartial narrative of facts, he chose to suppress the facts which above all others exhibit the true character of the Republican leaders. A few pages later, this writer ventures to represent the three years' imprisonment of the Confederate President, during great part of which he was subjected to personal insults and indignities, as intended 'for his protection.' Charges like those preferred against the Confederate chiefs, publicly advanced and silently dropped, leave their authors in a dilemma which no man of common

A few hours before Lincoln's death, Sherman received a note from General Johnston containing an offer to capitulate. Both Generals had already received the news of the treaty of Appomattox Court House. Sherman and his lieutenants were eager that a surrender should be obtained on any terms. They knew their enemy, and after four years' fighting and marching 'had had enough of it.' Sherman replied, therefore, that he was willing to confer with Johnston on the basis of the conditions settled by Grant and Lee. But as he was about to leave Raleigh for that conference, the arrival of a telegraphic message delayed the train for a few moments. That despatch brought the tidings of Lincoln's assassination. Sherman suppressed the news. The first person to whom he communicated the despatch was the Confederate General. To him he handed the paper, with the unsoldierly and ungenerous remark, 'It is especially damaging to your cause.'<sup>\*</sup> Johnston, who could only know that no Southern soldier or statesman had been concerned in a scheme of political assassination, read the paper with natural horror and dismay.

His situation differed from Lee's. His army held a position it could not hope to maintain, but from which it could effect an orderly retreat. He was confronted by a superior, not enveloped by an overwhelming force. Above all, he was in communication with the fugitive Government of the Confederacy. He had the power, if not the authority, to negotiate for the surrender of the whole forces of the Confederacy east of the Mississippi, forces still capable of sustaining a prolonged, if ultimately hopeless, resistance. Unacquainted, of course, with Mr. Lincoln's recent utterances, uninformed of that which had

honesty, to say nothing of sensitive honour, would endure for one moment if escape were possible. If deluded in a moment of passion by worthless evidence, the Republican leaders would have produced that evidence and apologised for their credulity. In the absence of any such apology I leave their character and their veracity to the reader's judgment.

<sup>\*</sup> He added a gratuitous suggestion that Mr. Davis was probably concerned in the crime. It is needless to characterise such an insult to a Confederate officer whose position forbade him to resent it. Sherman knew the South well, and stood exactly in the position of an Englishman who should ascribe the instigation of political assassination to Mr. Gladstone or Lord Salisbury.

passed at the conference of March 27, he could shrewdly conjecture the views of soldiers like Grant and Sherman, of statesmen educated by the tremendous responsibility and the awful vicissitudes of the four years' war. He had that to offer which was worth purchasing at a high political price, which Mr. Lincoln had wished 'to obtain on any terms.' He secured a day's delay, in the hope of communicating with President Davis and obtaining orders for the surrender of all the Confederate armies.

At the second interview General Breckenridge, Secretary for War, presented himself. Sherman at first demurred to his presence, declining to negotiate except as a soldier with soldiers; but this technical objection was overcome by the recognition of Breckenridge's military rank. Sherman chose to ignore the fact that he was dealing with a soldier in everything but good fortune at least his equal, the commander of the rearguard at Shiloh, whose resolute attitude had checked Grant's fivefold numbers and prevented pursuit; the leader of a division distinguished for magnificent daring and invincible steadiness even in the Confederate army. He addressed Breckenridge as a 'politician,' and warned him and other civilian chiefs of the Confederacy that they must fly their country if they would not be marks for the vengeance of the victorious Government. The soldier before whom Sherman's bravest comrades had fled passed over the affront with calm magnanimity. He was present to give authority to Johnston's offers; to sanction proposals which, if accepted, would secure the peace so sorely needed by his country; to ratify terms which, if loyally fulfilled, might have bound the States in a firmer union than had existed since 1836.

The capitulation, embracing other than mere military questions, and being therefore beyond the competence of the Federal General, was necessarily referred to his Government. It proposed that the Confederate armies should be disbanded and their arms deposited in the arsenals of their several States, subject to the future action of Congress. The existing State Governments were to be recognised on taking the oath of alle-

giance; and the political rights and franchises of the States as well as the personal and proprietary rights of their citizens were to be guaranteed as far as the power of the Executive Government of the Union could secure them. These terms were rejected, in language which, but for Grant's high authority and the weakness of the new Government, would have been insulting to the negotiator, by Secretary Stanton. Grant was actually sent to *supersede* Sherman; but on reaching Raleigh he declined to interfere in the military negotiations, and Sherman received the surrender of Johnston on terms identical with those granted to the Army of Northern Virginia. A few days later a bitter official censure upon Sherman's action appeared in the Northern papers, the convention itself being withheld and studiously misrepresented. With this last exhibition of Stanton's veracity, justice and respect for his betters, the character of the Minister immediately responsible for the conduct of the war may be left to the reader's judgment.

On May 10 a body of Federal cavalry, led by a negro spy, surprised and captured President Davis. The incidents of this capture were long and maliciously misrepresented. On discovering that the cavalry which had surrounded them were enemies, Mrs. Davis, with feminine presence of mind, threw her cloak over her husband, hoping against hope that he might pass unobserved through their ranks; and the Republican papers accordingly announced that the ex-President had been 'taken in woman's clothes.' In the course of the same month the remaining Confederate armies surrendered on the terms accorded to Lee and Johnston. The captive President was the chief of a great people, the head of a *de facto* Government, the Commander-in-chief of great regular armies with which, despite their threats, repeated defeats had compelled the Northern Government to exchange the courtesies of war. He was sent, not as a prisoner of war, but as a felon, to Fort Monroe; where every possible outrage and insult that an ungenerous enemy could inflict was heaped upon him. To put him on his trial for treason was too

dangerous. It would have opened the question of the legality of secession, which no discreet constitutional lawyer cared to face. The judgment of a court-martial would have been flagrantly illegal, and might have exposed those who acted on it, on the restoration of law, to a charge of murder.

Mr. Stanton perseveringly endeavoured to bring the captive to trial on another and infinitely more odious accusation. The prisoners at Andersonville, the chief Confederate military prison, had suffered cruelly, though, as the unanswerable evidence of statistics shows, far less cruelly than the Southern prisoners safely held in Northern forts and prisons, for whose maltreatment no plea of necessity could be preferred. The former were sacrificed in the first instance to the cruel military policy deliberately adopted by Grant, who consistently stopped exchanges, as he wasted the lives of his soldiers at the Wilderness, Spottsylvania and Cold Harbour, on the calculation that the North could afford to exchange three or four lives for one.<sup>9</sup> The Confederate Government could not feed its prisoners better than its own troops. Accustomed to privation, the soldiers of Lee and Johnston lived and fought on scanty rations of maize and pork. The Northern prisoners were used in their camps and bivouacs to ample and abundant supplies; furnished with regular rations of tea or coffee, salt and sugar, bread or biscuit and fresh meat; amply clothed and sheltered. Luxuries deemed needless by their Government were lavishly furnished by the voluntary kindness of their people, through the patriotic energies of the United States Sanitary Commission. When suddenly deprived of all these indulgences, cooped up by thousands in a prison, exposed to the inclemency of the weather, confined to very insufficient and sometimes irregular rations of corn, bread and tough or salt meat, such as were furnished to the Confederate soldiers in the trenches of Richmond and

<sup>9</sup> In a despatch to Butler (August 18, 1864) Grant avowed this policy of refusing exchanges—a flagrant breach of a treaty by which the North had profited enormously, as well as a frightful infliction of suffering on their own captive soldiery—in language even more distinct and explicit than that of the text.—*Rise and Fall*, vol. ii. pp. 596-600, &c.

Petersburg, they naturally perished like flies. But after all they did not die so fast as did Confederate prisoners from privations and hardships for the infliction of which no excuse has or can be preferred. It was necessary to keep the former as far as possible out of reach of the cavalry raids which in the last year of the war penetrated the exhausted States of the South in every direction ; necessary therefore to mass them in numbers which rendered the severest precautions imperative, and often defeated them. If the sick perished for want of medicine, it was the fault of their own Government. The Confederates actually offered to allow medicine to be sent to Andersonville in charge of Federal surgeons for the sole use of the prisoners. This generous offer was met with insulting silence.

That the condition of Andersonville and the sufferings of the captives were appalling, is amply proved by the reports of Confederate inspectors ; but those reports suffice to show that the Confederate Government anxiously desired to alleviate the miseries they lacked the power to cure. They did their utmost to get rid of their prisoners, waiving one after another every point of etiquette, or even of substantial right, disputed by the North. They consented to exchange negro soldiers, contrary to the decisive precedent set by Washington, who treated the negroes found in surrendered or captured British posts or camps as runaway slaves. The business of exchange had been entrusted to General Butler, in the hope that the Confederates would refuse to deal on any terms with a proclaimed outlaw. Southern humanity<sup>1</sup> was too strong for Southern pride, and the insult was ignored. Grant's well-known estimate of the agent he employed confirms Butler's own declaration that he was appointed to carry out instructions, formal and informal, more safely entrusted to a political partisan than to a

<sup>1</sup> *Rise and Fall*, chapter 49 full of unanswerable proofs of the repeated efforts made by the Confederate and thwarted by the Federal Government to relieve the Federal prisoners. It stands beyond doubt or question that the sole responsibility for their prolonged detention and consequent sufferings rested with Mr. Lincoln, Mr. Stanton, and General Grant.

soldier.<sup>2</sup> It was necessary<sup>3</sup> to conceal from the enraged relatives of the victims the real origin of their sufferings, and Wirtz, who had commanded at Andersonville, was selected as the scapegoat. After his mock trial and condemnation to death, he received directly, through his counsel, and through the priest who attended him, offers of pardon and reward if he would implicate Mr. Davis personally in the alleged maltreatment of the prisoners, so as to fix upon him a charge of murder.<sup>4</sup> From whom this offer came, the situation of the new Government, the several characters of President Johnson and the members of his Cabinet, and the ascendancy at that time exerted by the Secretary at War, leaves no reasonable doubt.

Failing to take his life under judicial forms, the Federal Government subjected their illustrious captive to every kind of indignity and ill-usage that could most affect the bodily and mental health of a man advanced in life, of the highest character and refinement, worn by anxiety and already suffering severely from hardship and exposure. He was imprisoned in a casemate, on the rations of a common soldier, without any of the comforts or decencies of life. Not content with these insults, less to his person than his cause, the rulers of the North, the chiefs of the Republican party, actually proceeded, without shadow of reason or excuse, to put the President of the Confederacy in irons like a malefactor doomed to death! The same indignity inflicted on his European equals—on Thiers or Changarnier, Garibaldi or Bismarck, the Emperor of Germany or the prisoner of Sedan—would have been hailed by the whole civilised world with one unanimous burst of indignation and disgust.

<sup>2</sup> See his official report, *ib.* pp. 603, *et seq.*

<sup>3</sup> The more that a delegation from the prisoners had been sent to Washington to plead for exchange in the name of common humanity. Lincoln refused to see them, *ib.* p. 602.

<sup>4</sup> Attested by the prisoner's counsel, by a Confederate officer within hearing, and by Father Boyle, the confessor. — *Rise and Fall*, vol. ii. pp. 198-9.



BOOK VII.  
*RECONSTRUCTION.*

CHAPTER I.

CONSEQUENCES OF LINCOLN'S DEATH.

State of Parties—Lincoln's Personal Ascendancy—His Successor—Condition  
of the South.

POLITICAL assassination is unhappily by no means always a blunder, as it is too often considered a venial crime. The Scotch Covenanters were assassins on principle, and it might be said by profession; so are the anarchists of Continental Europe; so were too many of the leaders of Italian revolution. Orsini's crime was at least in method more atrocious than Booth's; but it is said to have resulted in the liberation of Lombardy, and was excused if not condoned by popular feeling in England. The murders of Henry III. of France, of Coligny, of the Duke de Guise, of William the Silent, and, to descend to modern times, of Alexander II. and General Prim, were, in the view at least of those who instigated them, political successes. But for the last-named crime, Amadeo I. might still be on the throne of Spain. The murder of Lincoln was not, like these, properly political; no rational hope of practical advantage can have actuated the assassins. In so far as the murderers were animated by sympathy for the South, theirs was an act of suicidal madness; a calamity whose immediate effect the South rued for ten long years, whose ultimate consequences may affect for generations the fortunes of the Union at large. That vast empire has, as in its early days of comparative homogeneity its framers felt, more to fear from consolidation than from defection; most of all, perhaps, from a forcible cohesion maintained by the

domination of a sectional majority. Lincoln's life afforded the best, if not the one possible, hope of genuine reunion, the restoration of that ancient polity based on perfect local self-government, on the equal recognition of common and distinctive interests, which alone the statesmen of the Revolution deemed compatible with the liberties and suited to the divergent character of the States.

The abolition of slavery destroyed the one root of irreconcilable antagonism between North and South. Political schism and civil war had generated a fiercer, but a comparatively curable and ephemeral, hostility. It depended on the use of victory how long the resentment inspired by a war of devastation and subjugation should last. The merely material traces of that war were visible for many a year. In the tenth autumn after Sheridan's campaign, the monuments of his warfare startled the traveller throughout the Shenandoah Valley. Brick chimneys, standing alone mile after mile along the restored railway, marked the track of an enemy more destructive than the Mohawk or the Narragansett. But an agricultural country rapidly recovers the mere material waste of war, however cruel. The inherent energies of civilisation speedily replace all that barbarism can destroy. Left to themselves, the people of the South, with that matchless genius for organisation and government which the most hostile observers are forced to admire,<sup>1</sup> would have retrieved the ruin and disorganisation effected by war and conquest, have reconstituted their shattered social and industrial system, and brought the enterprise, skill and vigour of the finest and most resolute portion of the Anglo-Saxon race to bear upon the tremendous task of reconstruction and repair.

Such was apparently Lincoln's hope and purpose, a hope which he alone could have realised, a purpose to which he alone could have commanded the assent of the conquerors. Truer spoke than meant was the statement that the South had made an army, a navy and a nation. The navy had vanished from the seas, the army was annihilated, but the nation remained ;

<sup>1</sup> See *A Fool's Errand*, *passim*.

national in instinct, sympathy and resentment; national above all in pride and sorrow, in its mourning and its hatred, in its passionate, impenitent, unshrinking acceptance of national responsibility for secession and self-defence. Talk as Radicals would about 'rebels' and 'rebellion,' the concrete reality with which they had to deal was a conquered nation. A nation could not be arraigned at the bar of any court, civil or military. A nation might be punished, but the idea of punishment inflicted on a nation for political or social heresies offends alike the conscience and the common sense of sober and responsible men.

Those to whom such a truth could be brought home, even by the awful experience of four years' war, were of course a small minority. Never perhaps, except in the sheer insanity of the French Revolution, was a people so stubbornly blind to the realities of the situation as the Northern and Western populace in 1865. The leaders of the majority were unhappily, with scarcely an exception, bent on ends only to be attained by rousing the worst passions of the many. The Opposition were powerless. The Democrats who had been true to their principles had resisted the war; the 'War Democrats' were paralysed by a false position, by palpable inconsistencies and questionable antecedents. A few Republicans, mostly belonging to the extreme Abolitionist wing of the party, were free to speak and partially to discern the truth. To the inner conscience of men who had always been secessionists at heart, secession was no heinous crime. Rebellion was not an offence on which the accomplices of John Brown, law-breakers by profession and on principle like Garrison, Greeley and Gerritt Smith, could honestly be severe.<sup>2</sup> But these men, again, were powerless. Denounced as firebrands and fanatics in 1856, they were ridiculed as theorists and doctrinaires, impracticables and humanitarians, in 1865. One man alone had possessed the confidence of the many and the clear-sightedness of the few.

<sup>2</sup> Gerritt Smith contended in June 1865 that the Government had neither the legal nor the moral right to try and punish as rebels those whom it had recognised as belligerents.

Fictions in which Lincoln never thoroughly believed had been rendered transparent by stern experience to his shrewd and practical humour. He, less than any civilian, could remain blind to the stone wall of facts against which his head and heart had been so often vainly dashed and so nearly broken. He had been forced to know that he was dealing neither with conspiracy nor rebellion, but with sovereign States, with a nation in arms, no less conscientiously convinced and much more outspoken and straightforward than he dared to be. To him who had conducted the war to its successful close, who had broken all constitutional fetters, swept all legal cobwebs from his brain if not from his speech, who had shrunk from no means, lawful or not, to crush the 'rebellion,' the people would have listened without mistrust when he repudiated the notion of vengeance on conquered rebels. There were no terms he could not have granted, no amnesty however complete, no restoration, however full and absolute, of constitutional rights and self-government, that would not have been accepted at his bidding. No party could have demanded guarantees and securities he deemed unnecessary. The capitulation proposed by Sherman, within a few days of the confidential conference in which Lincoln's views had been set forth, was intended to and probably did embody them.

This fact has a very important bearing upon the subsequent treatment of the South, upon the conduct of her Generals and the censure thereupon implied in Mr. Davis's concluding chapters. The fugitive President believed that it was in the power of the South, if not to maintain the war for independence, at least to stand out for terms substantially identical with Lincoln's as interpreted by Sherman—the restoration of the States to their position and privileges, *minus* slavery and the right of secession. It would be equally unjust to accuse Mr. Davis of a desire to prolong hopeless bloodshed, or to impute to General Johnston any lukewarm zeal for the rights and liberties of the Southern States. The truth is that Johnston and Breckenridge believed, on good grounds, that the surrender practically secured the best terms for which

- Mr. Davis would have stood out. In discontinuing resistance, in surrendering on parole, they believed on Sherman's assurance that the faith of the conquerors was pledged to the recognition of the State Governments, the restoration of State rights and constitutional privileges, on the sole condition that slavery should be abolished and the right of secession resigned for ever. Had Lincoln lived, Sherman could have claimed his personal engagement for the fulfilment of those conditions; nor is there any reason to doubt that he whose expressed views the capitulation represented, who had bidden his Generals secure the surrender of the Southern armies 'on any terms,' would of his own free will have fulfilled the understanding.

As against rational and responsible enemies, Mr. Lincoln might have felt safe in the unpopularity and unfitness of his designated successor. Charles II. laughed to scorn his brother's frequent warnings. 'James,' he said, 'no one will murder me to make you king.' And the Rye House Plot, the only serious attempt during his reign, was intended to destroy both brothers at once, to transfer the crown to the Protestant children of the Duke of York. It was alleged—and since Booth, though half a madman, was no fool, it is probable—that his practical end, so far as he looked beyond personal vengeance, was to destroy the President, Vice-President, Lieutenant-General commanding in chief, and the heads of the Cabinet; to annihilate at one blow the military and civil government of the Union. Nothing less than this would have served even a temporary political purpose. But if such were his aim, nothing short of complete success could fulfil it. A single failure must bring to nought the whole scheme, and any brain still capable of reasoning must have recognised the moral certainty of more than one such failure. Even had the victims been assembled where they could have been destroyed at a single stroke, some among so many would in all likelihood have escaped. Each was to be separately reached and killed, and had each assassin possessed Booth's nerve, skill, strength and daring, no other had similar facilities for coming unopposed and unques-

tioned within a yard of his selected victim. Powell alone knew certainly where to find his man, and the chances were ten to one against Powell's reaching Seward's sick chamber. The rest were most unlikely to penetrate unchallenged to the presence of the highest military and civil officers, and to find them alone and off their guard. If the assassination of Grant, Stanton and Johnson were planned, it was never even attempted.

I speak of these affairs as I might speak of Palmerston and G. C. Lewis, of the Irish Church and the Education Bill—things within my own knowledge. Certainly no sane man murdered Lincoln to make Johnson President. A Tennessean politician of the third rank, a Western demagogue of no education, fierce passions and low breeding, his zeal for the Union, his outspoken courage, the peril he had incurred in the earlier days of secession as a 'traitor' to his State and section, had secured for him the office of military Governor of Tennessee; where his administration was such as to win him the favour of the Republican party, and a nomination in the Convention of 1864 to the empty honour of the Vice-Presidency. His accession to the Chief Magistracy at the greatest crisis in the fortunes of the Union had never been contemplated, and struck the Cabinet, the party and the country with dismay. The one Minister whose experience and national reputation might have given him a claim to direct the councils of Congress and shape the measures of the Administration, if not dying, was disabled by injuries which must confine him to his bed for weeks or months to come. Politicians to whom the new President owed his advancement may have hoped to find him a pliant tool. The horror, dismay and confusion which attended his elevation might well confirm their hopes. His judgment and self-control, never strong or sound, were completely unsettled by his unexpected elevation from insignificance, silence and utter exclusion from the counsels of Government, to the chair which had just been filled by a virtual autocrat. His ignorance, his bewilderment, his fierce party passions, and the circumstances which had placed him at the head of affairs, threw him at first into the arms of the extreme Republicans, with


their policy of revenge, proscription and military usurpation. The effect of Mr. Lincoln's death was not merely to disorganise the Government, to place an untried, unknown and incompetent man in the President's chair, but to overthrow the existing equilibrium, to remove the political centre of gravity ; to transfer the initiative and control, which the events of the war and the tendency of public opinion had given to the Executive, to the hands of Congress.

In his desire to veil the nakedness of military despotism, Mr. Lincoln had created an obstacle to the immediate reconstruction of the Southern States which formed a practical embarrassment to his successor. In New Orleans, North-Eastern Virginia and Northern Arkansas he had set up opposition 'State Governments,' providing only that one-tenth of the people should take part in the elections, a condition easily fulfilled or evaded by the adventurers who followed the camp in quest of prey. To the true people of the States concerned, these intrusive nullities were more odious than the undisguised military despotism of the commanding Generals. In all the seceding States there existed real State Governments with a legal position and continuous history, the legitimate successors of those which had ruled the States as members of the Union. Tennessee, Kentucky, Missouri, Maryland and Delaware were in the hands of the Unionists, backed by Federal bayonets. In Virginia, Arkansas and Louisiana, the regular Governments and Legislatures were expelled or dispersed by military force in favour of Mr. Lincoln's artificial creations. In the remaining States they were the only civil Governments, the only powers capable of enforcing law or maintaining order, the only bodies through which the Federal Executive or the commanding Generals could secure peaceable or general obedience to their requirements.

The Federal volunteers were weary of service, and the people of their enormous cost. The feelings of the North, the exigencies of the Government, demanded the rapid reduction and speedy disbandment of more than a million men. Again, the most imperative social and industrial considera-

tions required the immediate restoration of civil order throughout the South. A large proportion of the negro population, the sole labouring class throughout a great part of the country, had gathered round the Federal camps or swarmed into the occupied towns, demoralised and insubordinate, excited by insane hopes, and assuming that emancipation released them from the necessity of labour. The paroled soldiers of the Confederacy found their homes desolate, their farms wasted or ruined by neglect, their plantations overgrown with weeds, their ditches filled, their hedgerows straggling over the fields, many of their estates in the hands of the Freedmen's Bureau and other anticipatory confiscators. All proprietary and personal rights were practically doubtful. The currency of the country was annihilated ; the investments upon which a large number of families, and especially widows and orphans, depended for bread, State and municipal bonds, railway shares and mortgages, had been rendered worthless. The planters had owed generally a year's produce of the lands, which without their cultivators were profitless, and many of them large debts whose real security was the value of the human property of which they had been suddenly deprived.

The emancipation proclamation was not law, as Mr. Lincoln himself well knew, but conquest had given it practical validity ; and emancipation alone was the most crushing fine ever levied by a conqueror upon a wasted country and a ruined people. Europe stood aghast in 1871 at a war indemnity of two hundred millions sterling, levied upon the richest country of the Continent. Wealth for wealth, the forfeit exacted from the South was equivalent at least to an indemnity of *fifteen hundred millions sterling* extorted from conquered France. True, the confiscated property was not destroyed ; but confusion and uncertainty rendered it almost worthless, and its pecuniary value was actually deducted from the available wealth of a single class. Three hundred thousand families had lost human chattels worth 400,000,000*l.* sterling ; in most cases all, or more than all, they possessed.





In a word, the whole agricultural aristocracy and middle class of the South were utterly ruined. The situation of her merchants and traders was hardly better. Only the peasant farmers who cultivated their own fields with their own hands, a few hundred shrewd and selfish adventurers who had purchased the protection of Northern Generals, a few score speculators, for the most part foreigners by birth, who had made fortunes by blockade-running or dealings in plunder under licenses procured from Generals like Banks and Butler, or through influential politicians at Washington, were solvent. A few who had contrived to keep hold of cotton and other produce, now saleable at exorbitant prices, had certain means of subsistence. If the fear of forfeiture, of arbitrary punishment, of military spoliation, were not speedily removed, the seed-time would pass, no cotton, rice or tobacco would be planted, no breadstuffs grown, and the Federal Government, already compelled to feed hundreds of thousands of negroes, would have to choose between furnishing rations for half the people of the South and permitting them to die of hunger. The devastation of the Palatinate hardly exceeded the desolation and misery wrought by the Northern invasion and conquest of the South. No conquered nation of modern days, not Poland under the heel of Nicholas, not Spain or Prussia under that of Napoleon, suffered such individual and collective ruin, or saw before them so frightful a prospect, as the States dragged back by force in April 1865 under 'the best Government in the world.'

## CHAPTER II.

## CONTEST BETWEEN THE PRESIDENT AND CONGRESS.

Johnson adopts Lincoln's Policy, but not his Spirit—Party Motives for Resisting it—The President's Measures—Contest with Congress—Impeachment—Congressional Reconstruction—Constitutional Amendments—Proscription—Negro Suffrage—Carpet Bag Governments—Reaction—Ku Klux Klan.

THE war had been undertaken and waged on the theory that secession was a nullity; a theory which had broken down in practice, but which few or none of the responsible leaders of the Republican party had ventured to retract or disavow. Upon that theory the existing State Governments of the South were legitimate, the Northern victory had restored those privileges of Federal representation which secession had renounced, and that supremacy of the civil law of the States, which had been suspended by the martial law of the Federal Government. Such was the understanding upon which the Southern armies had surrendered, in which the Southern people, crushed by physical force, had acquiesced. Such was the view of the Constitutional Democrats, such above all the doctrine held by that small minority of Southern Unionists whom coercion, invasion, pillage and emancipation had not converted from the principles on which they had supported Bell and Everett.<sup>1</sup> Of this view President Johnson was the representative.<sup>2</sup> Led away at first by the panic of vengeance which followed the murder of Mr. Lincoln, and confounded by his endorsement of their wholly

<sup>1</sup> The Unionists proper, those who denied the right of secession and the supreme obligation of State allegiance, were an insignificant minority even among those whose votes had been cast for these candidates in 1860. They were not a party, except in East Tennessee and West Virginia and the districts held by the enemy.

<sup>2</sup> See note on Reconstruction, quotations pp. 526-7; *et supra* pp. 479-80.

groundless accusations with that worst class of Republicans to which the removal of the one man capable of controlling and resisting them had given ascendancy in the party councils, it soon became apparent that he agreed with them in nothing but their personal hatred of the military and civil leaders of the South ; a passion for which he had personal excuses they could not plead. Inheriting, as he conceived, Mr. Lincoln's position, he accepted Mr. Lincoln's policy.<sup>3</sup> That policy unhappily involved embarrassments and contradictions which Lincoln would have swept aside, but which held his successor fast in constitutional and political meshes he had not the skill to unweave or the strength to cut. A President imposed on the party and the people by accident, Mr. Johnson's only chance was to stand upon the Constitution and restore at once and *de facto* the constitutional rights of the Southern States. This course he could not take. He had adopted emancipation in the light in which Mr. Lincoln had publicly represented it, as a purely military measure ; an act of vengeance or coercion, to which, once adopted, legally or illegally, under the so-called ' war power,' the faith of the Executive, the honour of the North were absolutely pledged. The thousands of fugitive slaves who enlisted under the Federal colours, the tens of thousands who swarmed in the rear of the Federal armies or had taken refuge in their camps, could not be relegated to bondage. Constitutionally, both slavery and the State war debts were the concern of the

<sup>3</sup> President Johnson's plan of reconstruction was in form if not in spirit the same as that which Abraham Lincoln and his Cabinet had originated. William H. Seward, the Secretary of State under both Administrations, said on October 20, 1865, at Auburn, New York, ' We are continually hearing debates concerning the origin and the plan of restoration. New converts, North and South, call it the President's plan. All speak of it as if it were a recent development. On the contrary, we now see that it is not specially Andrew Johnson's plan, nor even a new plan in any respect. It is the plan which abruptly yet distinctly offered itself to the last Administration, at the moment I have before recalled, when the work of restoration was to begin ; at the moment when, although by the world unperceived, it did begin ; and it is the only plan which thus seasonably presented itself, and therefore is the only possible plan which then or ever afterwards could be adopted.' *The New York World*, October 21, 1865. Quoted in *A Review of the Political Conflict in America*, by Alexander Harris, p. 411. New York, 1876.

South alone. To leave the freedmen at the mercy of their old masters was impossible, although the Southern leaders distinctly recognised their *de facto* emancipation and were willing to give it legal validity. Their last state, as the outcasts and pariahs of a prejudiced white society, might be far worse than their first, as bondsmen protected by the interests of individual masters. Unconditional restoration, moreover, would forfeit the opportunity of solving those problems which had embittered and perplexed the politics of the ten years preceding the appeal to arms; would throw away, as Mr. Lowell said, 'four years of war.'<sup>4</sup>

Moreover, the restoration of law threatened the chiefs of the Republican party with nothing short of ruin. The Courts knew nothing of a war power. Acts of Congress sanctioning Executive usurpations were legal nullities. Mr. Seward was liable to some hundred actions for false imprisonment. Generals like Dix, Banks and Butler might be arraigned on criminal charges, at the bar of State Courts by no means loth to avenge the high-handed violation of State laws. Yet more dangerous would be the admission of Southern Senators and Representatives. The pecuniary transactions of the Federal Ministry would not bear examination. Too many influential Republicans throughout the Northern States had been concerned in jobbery of the most flagrant kind. Nothing but an absolute Republican control of the Legislature for years to come could protect the chiefs of the governing party, their principal agents and most devoted supporters throughout the North, from enquiry, detection, ruinous exposure—perhaps from punishment. The whole financial administration—loans, naval, military and commissariat contracts, transactions great and small—was tainted with political corruption, gross extravagance or downright fraud. Mr. Johnson's hands

' But, oh, my patience! must we wriggle back  
Into th' ole crooked pettyfoggin' track,  
When our artil'ry wheels a road heve cut  
Stret to our purpose if we keep the rut?

Warn't there two sides? An' don't it stand to reason  
Thet this week's 'Nited States ain't last week's treason?'

*Biglow Papers.*

were clean. Nothing could be urged against him but acts of military usurpation within the seceding States, for which, on both sides, an amnesty must of necessity be granted. It would have troubled him little had the whole network of political fraud been laid bare. Nay, bitter Republican as he still was, he would probably have felt a personal pride and patriotic satisfaction in bringing the jobbers to justice. A double breach between the President and Congress might therefore be confidently predicted.

The President's first important act was the appointment of a provisional Governor in each of the conquered States. The worst of these were the persons who claimed that office under Mr. Lincoln's bogus organisations. Those who had accepted office from the invader, and who only pretended to represent one-tenth of the people of each State, were by the necessity of their position the mortal enemies of their countrymen, who in defeat and humiliation did not cease to execrate them as traitors. Only the bitterest partisans or the vilest time-servers would place themselves in such a position—and the position would demoralise the best-intentioned men. Johnson's Governments, again, were in the eyes of all Southerners intruders, usurping the lawful authority of the elected State Executive and Legislature. They must rely on and govern through native Unionists; and in the Cotton States, at least, nine-tenths of the few self-styled Unionists were converts too recent and too interested to be trusted. On May 29, 1865, Mr. Johnson issued an amnesty proclamation from which the great majority were excepted, and whose benefits were confined to those who should take the oath of allegiance therein specified. The provisional Governors, supported by the military authority, were instructed to call Conventions of 'loyal' citizens in each State to amend its Constitution; and the word 'loyal' was so construed as to disfranchise in almost every State all its best and a large majority of its respectable citizens. In Virginia only ten counties, which had been held throughout the greater part of the war under military subjection, were allowed to take any part in the Convention.

In these measures Johnson abandoned unawares the vital essence, while adhering to the outward form, of Lincoln's plan. The latter appears to have intended an appeal to the natural, and especially the military, leaders of the South to undertake the task of reconstruction upon two, and only two, obnoxious conditions—the abolition of slavery and the repudiation of the Confederate and State war debt. Johnson proscribed the very men on whom Lincoln relied, and relied on those of whose worthlessness and impotence Lincoln's experience had given him a shrewd idea. In 1865 and for years afterwards, a 'loyal' Southerner was of necessity open to imputations such as only those who are above or beneath suspicion will encounter; and while there were among the converts a very few of the former class, there were multitudes of that which—

Points to the footmarks of indignant scorn,  
Shows the deep scars of satire's tossing horn,  
And passes to its credit side the sum  
Of all that makes a scoundrel's martyrdom.<sup>5</sup>

As soon as Congress met, a bitter and irreconcilable conflict threw back the whole South into anarchy and panic. Refusing to acknowledge Mr. Johnson's newly-created State Governments, and excluding their Senators and Representatives, the Republicans commanded a two-thirds majority in both Houses, and were able to carry any measures they pleased over the Presidential veto. Throughout the session the two branches of the Government were in mortal conflict.

The first resolution of the Congress which met December 4, 1865, appointed a Joint Committee of fifteen, with exclusive jurisdiction over questions concerning the Southern States and the admission of persons claiming to represent them. The previous Congress had propounded a Thirteenth Amendment to the Constitution, abolishing slavery. By the votes of the bogus Legislatures established by President Johnson, but with the general consent of the Southern people, this amendment was ratified December 18, 1865. The Four-

<sup>5</sup> Whittier.

teenth Amendment was propounded June 6, 1866, and ratified July 28, 1868. It enacted that all persons born or naturalised in the United States were citizens—a proposition of course intended for the exclusive benefit of the negroes—that the representation of each State should be proportioned, not to its resident population, but to the number of male adults enfranchised. It enacted that while the public debt of the North, or so-called Union debt, should be paid, according to its terms, in gold, all State and local debts incurred by Southern authorities *during the 'Rebellion'* should be repudiated. As State and municipal bonds were, like Consols, the favourite investment of trust-money, there attached to this indiscriminate repudiation of debts contracted by authorities whose historical and legal character had been nowise affected by secession a taint of vindictive cruelty, as well as of injustice. The wrong was quite as grave as would be the repudiation of the Federal debt by some future Congress under Southern influence. The debt of the *Confederate Government* became waste paper when that Government ceased to exist.<sup>6</sup>

Finally, large classes of Southern military and civil officers were branded as incapable of holding office of any kind, executive, judicial, legislative or municipal. Those thus disfranchised were at least nine in ten of those personally fit for such functions, forty-nine in fifty of those who united the two paramount qualifications for public service—knowledge and experience of public business and the confidence of their fellow-citizens. The task of internal reconstruction as it presented itself to the South was perhaps the heaviest and most intricate ever imposed upon a nation. The available political intellect of the South, though of a very high quality, was limited in quantity, and confined almost entirely to the classes thus proscribed. Ignorant as Northern statesmen were to an astounding extent of Southern life and Southern society, they knew that they were proscribing the brain, the

\* That is, on the assumption that secession was a revolutionary measure. Otherwise, conquest of itself would only transfer to the victor the liabilities of the vanquished.

heart, the intelligence and the experience of the country in the gravest of social and political crises. It was with distinct knowledge and deliberate intent that they handed over the most difficult and critical of political functions to classes exceptionally ignorant and utterly devoid of practical experience. And this they did for the express purpose of throwing the control of the Federal votes of the South into the hands of an artificial constituency, packed with an exclusive view to the facility with which it might be manipulated for their party purposes.<sup>7</sup> 'From the womb of party necessity and political insincerity came forth this abortion, or rather this monster, doomed to parricide in the hour of its birth.'<sup>8</sup>

✓ The contest between Congress and the President waxed constantly more and more fierce and relentless. Johnson looked upon himself as the elect of the people; upon Congress, with somewhat more reason, as 'a body hanging on the skirts of the Government.' The President forgot that he owed his elevation to an accident, his election to the manoeuvres of a party Convention; in so far as the North had accepted Andrew Johnson at all, it had elected him not to conduct the affairs of the nation, but to preside in silence over the debates of the Senate. And yet there was a sense in which the Vice-President, raised by a midnight murder to the chair of the Chief Magistrate, really represented the will of the people. As regarded the terms of reconstruction, the exponent of Mr. Lincoln's policy might claim that the popular vote of 1864 had intended to entrust them to Mr. Lincoln. If that trust did not pass to Lincoln's successor, still less had it been bestowed upon Congress. Upon the theory on which the war had been waged, which down to April 14, 1865, no Republican

<sup>7</sup> On June 7, 1866, in the Senate Mr. Davis of Massachusetts said that 'the paramount object of the Radical party was continuance in office and power, and their chief means negro suffrage; and the machinery was a perpetual howl for justice and protection to loyal citizens of African descent.'

<sup>8</sup> *A Fool's Errand*, p. 117; Sampson Low, 1879: the work of a passionate Republican partisan. It is full of involuntary testimony to the quality of the Southern Republicans, white and black, and the character of their leaders, as well as of conscious reprobation of the scheme of reconstruction.



leader had dared to repudiate, secession was a nullity, and the Southern States were, and had always been, members of the Union. On that theory, Congress was a Rump, no longer entitled to legislate for the Union at large, least of all for the South. It was not a legal body till the freely elected Senators and Representatives of the eleven conquered States should be admitted to their seats. Both parties were the more angry that both were conscious of the fatal weakness in their position, that both were forced to eat their words and repudiate their constitutional professions.

The President regarded the acts of a Congress from which eleven States were wholly or partially excluded as null and void, and Congress dared not submit the question to the arbitrament of the Supreme Court. The Congressional majority was powerful enough to carry a law over the Presidential veto, but powerless to compel the Executive to execute it. It therefore proceeded to invade the constitutional and immemorial powers of a co-equal department of the Government. The right of removal had been granted at the very outset, and exercised in the most absolute and wholesale manner. None of those who had resisted or proposed to restrain it, from Jefferson to Calhoun, had ever dreamed of interfering with the President's right of dismissal in the higher ranks of the service. The Constitution had made the Executive absolutely independent of the Legislature save in certain specified cases, and the President *was* the Executive. It would have been constitutional to limit the power of removal in what answers to the permanent Civil Service of other countries, to require cause shown or the assent of the Senate; but the President's right to dismiss Cabinet ministers, assistant secretaries, generals and diplomatists was an indispensable and indisputable attribute of Executive power and responsibility. This unquestioned right the Republican majority, unscrupulous in the consciousness of irresistible strength, determined to assail. It was enacted that every Minister once appointed should hold office until the close of the Presidential term, or till the Senate should have

confirmed his successor. Under this act an irresponsible Minister of War, supported by an irresponsible Lieutenant-General of the Army, could paralyse the action of his chief and take action which his chief forbade. Subordinate officers unknown to the Constitution, the President's military and civil servants, usurped his constitutional functions. The President properly dismissed a Secretary at War who disobeyed orders as binding upon him as upon the lowest subordinate in his office. Congress determined to reinstate him.

At last the contest was brought to an issue, not in the Supreme Court, the only authority empowered to define the respective powers of the other two co-ordinate branches of the Government, but by a process intended for wholly different purposes, and before a tribunal consisting of pledged partisans. The control of the Senate was in the hands of the leaders of the Opposition, Johnson's avowed and mortal enemies. On March 3, 1868, the House, acting in close accord with the majority of the Senate, resolved on the impeachment of the President. The real ground of that impeachment was his endeavour to restore the Southern States to their constitutional position. Whether he had in this transgressed his legitimate powers was pre-eminently a case for the Judiciary alone. In no sense and in no case is the President responsible to Congress for the use of his legal prerogatives, for his executive policy or the use of his patronage. The very form of the indictment betrayed an abuse of the impeaching power. The President was accused of high misdemeanours, in having disobeyed an act of Congress (of whose validity he was fully entitled to form his own opinion till it should be ascertained by the Supreme Court); and again in having expressed in a public speech his view of the constitutional status of the present maimed and imperfect Congress. To deny the President of the United States the privilege of free speech secured by the Constitution to every citizen was monstrous. To call the acts in question 'misdemeanours' was absurd.

The unconstitutionality of the impeachment is obvious from the fact that its success involved a political revolution ;

would have reduced the independent Executive of the United States to the position of an English Premier, liable to dismissal at the pleasure of the Legislature. It would have effected by a side wind, by a two-thirds vote of Congress, a change more fundamental than has ever been attempted by any Constitutional Amendment. It outraged, then, the first principles of the Constitution—nullified all the guarantees which ensure its stability by rendering the process of alteration slow and difficult, and requiring the assent of independent bodies.<sup>9</sup> Yet in this gigantic usurpation a great majority of both Houses concurred to get rid of a Chief Magistrate whose term was within a year of its close. Under the presidency of Chief Justice Chase, the Senate came to a vote upon the weakest point of the indictment, the eleventh article, which made it a criminal charge that the President had ventured to express his opinion upon the very point on which the propriety of his action turned, the *status* of Congress. The independence of the Executive, the bounds which distinguish the legal powers of Congress from the omnipotence of the British Parliament, hung upon a single vote. Thirty-six votes to eighteen would have convicted the President and annihilated the Constitution. One Republican Senator alone had a political or personal conscience stronger than the ties of party. By nineteen noes to thirty-five ayes the two critical articles were negatived, and on May 26, 1868, by a vote of thirty-six to sixteen the Court adjourned *sine die*, and the impeachment was practically quashed.

In 1866 Congress divided the South into military districts, and gave to the commanding officer absolute power over the persons and property of the citizens, only requiring that death warrants signed by him should receive the approval of the President. The next Congress in 1868 gave to these military despots control over the registration of the voters, the enforcement of negro franchise and white disfranchisement.

That which was long known as the Ironclad Oath caught and excluded from every Federal, State and municipal office,

<sup>9</sup> The Assemblies and Senates of three-fourths of the States.

from Congress, from the State Legislatures and Conventions, every Southern citizen of property, intelligence, character and credit, who might have escaped the meshes of the direct proscription.<sup>1</sup> This test included the younger gentlemen whose family influence and reputation would have enabled, whose practical education in the trying circumstances of the last six or seven years would have qualified them to fill, if not perfectly yet incomparably better than any other class could fill, the places of their fathers. Most men of spirit, intelligence and position, who in 1868 had reached the age of thirty-five, were directly proscribed. No man between twenty-one and thirty-five—save those who had deserted their State in her need—could take the Ironclad Oath. Open military despotism would have been incomparably preferable to a pretence of self-government so managed as to secure the ascendancy of utter ignorance, and to confer a monopoly of office on baseness, servility and treason. Under the Reconstruction Acts of 1867–8 Conventions were assembled in each of the Southern States, consisting by necessity exclusively of negroes, renegades without station or character, and a few Northern adventurers. The last, having alone the intelligence to direct the action of a political assembly, practically framed the new Constitutions and installed themselves in all the most lucrative offices. By these Conventions the State Constitutions were remodelled, not in a democratic, but in an anti-aristocratic or ochlocratic sense. Through their agency the requisite majority was secured by the end of March 1870 for the Fifteenth Amendment, propounded the year before, which made universal suffrage, ‘without distinction of race, colour or previous condition,’ the law of the Union; annihilating the distinctive

<sup>1</sup> The Ironclad Oath was as follows ‘I ——— do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power or constitution within the United States, hostile or inimical thereto.’

character and traditions of the several States, and empowering Congress to enforce this rule by legislation ; thus taking the control of elections out of the hands of the State Legislatures and bestowing it on the Federal Government. With this wholesale enfranchisement of the ignorant and incapable was coupled a further proscription of the propertied, intelligent and educated, intended to give the negroes an artificial majority, at least in all the Gulf States.

With scarcely an exception, the new Governments consisted of Northern political adventurers chosen by the negro vote, under military supervision and in close communication with the Republican leaders at Washington ; generally of the worst personal character. More than one of them, as soon as the Southern people recovered control over their own Governments, fled the State to avoid trial and punishment for peculation. They contracted in the name of the States enormous loans, of which a very small portion was ever applied, even nominally, to any public object. These loans were contracted with parties favoured by the Republican leaders. The spoils were divided in the first instance between the contractor, to whom the loan was generally allotted at an enormous discount, his political friends and patrons, and the local authorities of the borrowing State. Out of the portion obtained by the latter, the knot of adventurers in possession of the State Government made their fortunes. A considerable part doubtless was employed for party purposes, to coerce, corrupt or falsify the elections.<sup>2</sup> Of the military chiefs who at pleasure exercised a paramount control, and by whose bayonets the intruding Governments were more than once sustained against the actual votes of the people, many were men of doubtful character, all of undoubted and virulent partisanship. Sickles had been tried for murder ; Sheridan bitterly complained that he was not allowed to treat a great part of the citizens of Louisiana as traitors, and was only restrained from wholesale bloodshed by the better sense of his military superiors.

The better classes of the South had been almost ruined by

<sup>2</sup> See Note on Reconstruction at close of volume ; citations.

the war. In thousands of cases their ruin was completed by three agencies which Congress had accurately adapted to that end, 'the Bureau,' the Governments, and their taxgatherers. The Freedmen's Bureau, a military body invested with summary powers in all cases where negroes were concerned, long rendered the reorganisation of Southern industry simply impossible. They took possession of hundreds of estates 'abandoned' by proprietors expelled sometimes by the Northern invaders, oftener by the Bureau itself. In nearly every case, after years of litigation, the officials were forced to give up these properties. Such a decision of course implied that they had been guilty of culpable and even criminal injustice, if not of wilful fraud; but in the worst cases the offenders were seldom compelled to disgorge the stolen profits of the past, or reprimanded by their superiors. Their influence was used, as might have been expected, with violent and mischievous partiality. It is easy to understand the universal complaints of negro idleness and insubordination, when we find that in one year no fewer than 140,000 negroes, whose labour was urgently needed and would have been liberally paid for in their proper places, were fed and kept in idleness by the Bureau. The frivolous complaints preferred by negroes against their employers were encouraged by officials who had no other *raison d'être*. One of the best among them ordered a lady to release her *employés* from labour for some critical days at harvest time that they might vote at their leisure! In a word, the grand difficulty of the South was the insubordination of the emancipated slaves, and the main business of the Bureau was to encourage that insubordination.

Again, not only to meet the inevitable expenses, which under the most economical administration must have been excessively burdensome, but to satisfy the demands of a profligate State Government and to pay interest on its loans, enormous taxes were imposed, to which the supporters of the Government, paupers or day-labourers, contributed nothing; of which the whole burden was thrown on struggling and half-ruined proprietors, and the greater part upon the disfranchised

classes. The taxes were too heavy for an impoverished and embarrassed people to pay with promptitude, and a vast number of valuable estates were confiscated and sold for a song to the only class possessed of money, the dishonest politicians.

The faction to which proscription, negro suffrage, force and fraud had given the control of every Southern State Government consisted of three classes, each of which was known in the South by a contemptuous nickname: the Carpet-baggers or Northern adventurers, the Scalawags or native renegades, and the Niggers. The latter were, with very few exceptions, driven to the polls like a flock of sheep, partly in fear of Federal bayonets or simply overawed by obvious and irresistible physical force, partly duped by the lavish promises of those supposed to control the favours of the Freedman's Bureau. Tens of thousands firmly believed, as they were daily assured, that while their old masters, if they got the upper hand, would enslave them, the Republicans would give every negro a mule and forty acres of land. The Scalawags, with the exception of a small number of *bonâ-fide* Unionists, utterly insignificant everywhere save in Eastern Tennessee and Western Virginia, were—what the willing tools of a conqueror's instruments always are—many of them the readiest in the old days 'to lynch a negro or to mob a press,' the loudest shouters for secession, as now out-Heroding Northern soldiers in their enthusiasm for 'the old flag.' The cleverest among them contrived to be well paid for their vote and influence. But the real control of affairs, the highest offices, the lion's share of the enormous spoils extorted at the bayonet's point from the ruined taxpayers of the South, fell to the share of the Northern Carpet-baggers, whose quality one of the bitterest of Abolitionists shall describe for me; <sup>2</sup> so called from the fact

<sup>2</sup> 'Well, gentlemen, "the thieving Carpet-baggers" are a mournful fact; they do exist there, and I have seen them. (Laughter.) They are fellows who crawled down South in the track of our armies, generally a very safe distance in the rear, some of them on sutlers' waggons, some of them bearing cotton permits, some of them looking sharply to see what might turn up; and they remain there. They at once ingratiated themselves with the blacks—simple,

that most of them came South with no other property than a single carpet-bag could contain. It is obvious that few Northern men of honour, spirit or principle would have intruded themselves into the politics of the South; and that the few whom honest fanaticism induced to do so would have taken care not to appear as professional demagogues and salaried politicians, the rulers of a community to whose best elements they were objects of abhorrence, living on the taxes wrung from a conquered, impoverished and disfranchised people. The intense, universal, unforgiving detestation they necessarily incurred was such as no man of feeling or self-respect, not bound by official or military duty to his post, would have endured while he could earn bare bread in his own country. No one who knows anything of the feeling with which negroes were regarded at the North, the impossibility that any of these adventurers should at home have appeared as the leader of a negro party, will give them credit for honesty in their attempts to ride into power on the strength of the negro vote in Louisiana or Georgia.

Among the so-called Scalawags there were one or two men of high character and unquestioned sincerity. General Mahone's connection with the repudiation of the Virginian debt, to which every Virginian of character was opposed, his position as the head of a coalition between the negroes, the dishonest natives and the Republican intruders, forbids the historian to cite him as an example of this class. But only bitter party prejudice can doubt that General Longstreet

credulous, ignorant men, very glad to welcome and follow any whites who professed to be the champions of their rights. Some of these got elected Senators, other Representatives, some sheriffs, some judges, and so on. And there they stand right in the public eye, stealing and plundering, many of them with both arms around negroes and their hands in their rear pockets, seeing if they cannot pick a paltry dollar out of them. And the public looks at them; does not regard the honest Northern man, but calls every "Carpet-bagger" a thief, which is not the truth by a good deal. But these fellows—many of them long-faced and with eyes rolled up—are greatly concerned for the education of the blacks, and for the salvation of their souls. (Great laughter.) "Let us pray," they say. But they spell "pray" with an *e*, and thus spelled, they obey the apostolic injunction to "pray without ceasing."—Horace Greeley, June 12, 1871, at the Lincoln Club. *Life*, by L. D. Ingersoll, p. 525.



honestly believed that the best chance for the South lay in a complete breach with her past; that, so believing, he was forced into relations with men he knew to be contemptible and dishonest, one familiar with American party politics can well understand. But the outburst of wrath and disgust which hailed the conversion of Lee's most trusted lieutenant showed how very rare was such an attitude among men of reputed honour. *Noscitur a sociis*: the character of those with whom the General was perforce associated in politics sufficed to blacken even his; he could do nothing to redeem theirs.

'Carpet-bag' Governments were established throughout the South by 1868-9, but two or three years elapsed before their Senators or Representatives were admitted by Congress. Meanwhile the States were threatened with public bankruptcy and universal ruin. The license and insolence of the negroes, the scandals and frauds of State and local Governments, the open and wholesale peculations which, beginning in the highest quarters, descended to the lowest, drove the disfranchised people of the Southern States to measures of self-defence. Upon ten of these States the Carpet-bagger Governments were heaping up a debt which in 1874 amounted to almost one hundred and fifty million dollars, of which by far the larger part had been accumulated by and for the benefit of a few score Northern adventurers and as many leading Southern renegades. As the Federal garrisons were gradually withdrawn, the people of the South refused any longer to submit to be ruled by negro suffrage and intrusive rascality.<sup>4</sup>

The effort was one on which, as one of its bitterest enemies emphatically admits, only a people of extraordinary courage, determination, self-confidence and mutual reliance would have ventured. But it was not in the nature of the Southern people, on the whole perhaps the most thoroughly English of English-speaking nations—that in which the indomitable pride, the stubborn resolution and dauntless daring of the English spirit is most highly and universally developed—to lie down in despair, to be crushed like worms beneath the

<sup>4</sup> See note on Reconstruction.

wheels of a conqueror's chariot. The law was against them, for the law was made by their enemies expressly to plunder, proscribe and keep them down. The organised power of the State was against them, was in the hands of men to whom the restoration of popular government, the investigation of their transactions, meant a choice between flight and a felon's cell. The whole military power of the Union was against them, a power which had conquered them when organised, armed and disciplined, provided with all the resources of which defeat had deprived them. The interests of the party that wielded that power were against them, for Republican ascendancy depended upon the falsification of the Southern vote. It would hardly need a vote of Congress to replace them under military despotism. As late as 1875 a Federal General drove a professedly Republican Legislature out of its hall at the point of the bayonet.

Yet the Southerners disdained to disguise their resolution. Before martial law had been superseded by the Carpet-bagger administrations, the threat had been loudly and repeatedly uttered, 'Wait till the Bluecoats are gone, and we will make these States worse than Sodom and Gomorrah for Northern adventurers and native renegades,'<sup>5</sup> and they kept their word. The name of the 'Invisible Empire,' or the 'Ku Klux Klan,' was first whispered, says Judge Tourgee, in May 1868, and by August it was firmly established throughout the South. Its first object was to restore the justice and order which had been divorced from so-called law, to protect the rights and property of white men, the honour and, what was much oftener imperilled, the ease, security and freedom of ladies; their liberty to go about, as in the olden time, unwatched and unprotected without fear of insult or rudeness. The second and paramount purpose was to recover the government of their States, to make the South once more 'a white man's country,' to replace her fortunes under the control of her *bonâ-fide* citizens. Taxation had been utterly divorced from representation, government from intelligence, the interests of the rulers from those of the

<sup>5</sup> *A Fool's Errand.*

people. All this was to be undone; undone in some States by numbers, in others in spite of numbers—for in two or three States, as in Mississippi and South Carolina, the blacks were a clear majority; in most the blacks *plus* the Scalawags outnumbered the undisfranchised white people. It must be done moreover without alarming the Government at Washington, without making the Republican leaders tremble for their power, the Abolitionists for the freedom of the negro, the people of the North for the permanence of the fruits of victory.

And it was achieved, though slowly, gradually and partially. The very existence of a secret organisation, of a nearer and more terrible physical force than that of the Federal garrisons, sufficed to break down the ascendancy of the Carpet-baggers over the negro voters. Where resistance was offered, coercion was relentlessly employed. For the Southerners the new law had no moral or constitutional validity. It had been imposed by force and, as they held, by fraud, in violation of the understanding upon which their armies had surrendered. Rather than accept it they would have maintained a guerilla warfare, would have enjoyed the lion's liberty in swamp and forest, exhausting the wealth and the patience of the North, the strength and endurance of the Federal armies, till they were shot down man by man. Such had been the misery, the humiliation, the insecurity, the hopeless penury of the last three years that, as an experienced and eminently temperate Confederate General, well knowing of what he spoke and sure that he would have been among the foremost of the victims, said to me, 'Had they shot ten thousand of us, and then let us alone, it would have been mercy to what they did.'<sup>6</sup> Judge Tourgee himself, the arch-witness of the Carpet-baggers, repeats without denying the charges against his order, and must be held to plead guilty. He, speaking as an eye-witness, exaggerating to the utmost the alleged excesses of the Ku Klux, fully admits that the organisation 'must be counted

<sup>6</sup> This was said, not in the excitement of the struggle, in the bitterness of defeat, under the sting of present suffering, but ten years after the war, when the speaker had retrieved his fortunes and position.

but as the desperate effort of a proud, brave and determined people to secure and hold what they deemed to be their rights; 'what all save fanatical believers in the abstract right of numbers, ignorance and poverty to rule, no matter how unjustly, oppressively and dishonestly, over intelligence, property and education, must admit to have been their rights.

The confession that the 'bravest and strongest and best of the South gave their recognition and support' to the organisation, 'believing it a necessity to prevent anarchy and the destruction of all valuable civilisation,' conclusively proves how imminent was the ruin against which the brain and heart of the nation thus revolted. Armed insurrection has been held by all Liberal and most Conservative historians amply justified by provocation far less intolerable. The corrupt despotism of Louis XV., the insane tyranny of Paul, the stupid, superstitious, repressive rule of Bomba, the Austrian tyranny in Lombardy and Venice, were incomparably preferable to the reign of the Kelloggs and Chamberlains. Bourbons, Hapsburgs, Romanoffs did not threaten the very existence of civilisation, the basis of industry and the foundations of social order. They did not eat up, in a wasted and ruined country, all that four years of war had left. There was no danger that they would, if tolerated for two or three years longer, reduce not only the State but the people—land-owners and capitalists of every class—to sheer bankruptcy. Armed insurrection, open civil war would have suited the haughty self-confident temper of the Southern people far better than secret organisation, midnight terrorism and veiled coercion. To no people on earth could the black mask and cloak, the darkling march, the domestic visitations, the midnight Vehmgericht, the sentences executed on victims tried in their absence, have been more utterly repugnant. But open insurrection was simply impossible; the choice lay between submission to a misgovernment effecting wider waste in years than that of the Turk in centuries, or a masked appeal to terror against negro suffrage and the rule of men whom any responsible government would have consigned to the Penitentiary.

The negroes alone might have been coerced without serious violence or cruelty. No class of Southerners, least of all the natural rulers who thus reclaimed their rightful influence, wished to restore slavery; and once convinced of this, the freedmen would readily have parted with political privileges they did not understand and could not use. But terrified, encouraged and deluded by the white adventurers who were making rapid fortunes out of negro suffrage, the blacks resisted. They sustained a Government equally unrighteous in its origin, odious and contemptible in its character, and ruinous in its tendency; and there was no alternative but to meet political superstition with practical coercion, and delusive promises with effective threats. The arch-offenders were safe behind the bayonets of the Federal garrisons.

The Invisible Empire thoroughly deserved its name. Its organisation required, as the closest and most clear-sighted of hostile witnesses observes, an absolute mutual confidence, a silence, steadiness, fortitude and loyalty, such as few secret societies have demanded, and none perhaps have obtained. None knew who passed its sentences save the chiefs of the 'Camps' which executed them; seldom, says Judge Tourgee, those from which they emanated. These leaders picked from their several commands, sworn to implicit obedience, fifty, one hundred or two hundred men—veteran soldiers or enthusiastic youths. These mustered at some designated spot, well mounted, masked in crape, horse and man, from head to foot, to carry out orders of whose nature they were never informed beforehand. Offenders whom the law could not reach, leading agitators, white or black—the former hated as the worst of traitors, traitors in foreign pay; the latter regarded as rebels justly subject to the jurisdiction of the real people of the State, in whose name the Ku Klux acted—were threatened, flogged, shot or hanged. The number and atrocity of these acts of vengeance or precaution has doubtless been monstrously exaggerated. It is impossible to place any confidence in the statements of a writer who affirms that *forty thousand* outrages occurred in a single State! But enough was done to terrorise

the white Republicans and scare the negroes from the polls. The Invisible Empire was waging war in the only possible fashion against Governments whose existence was an insult, whose policy was robbery, whose continuance meant universal public and personal ruin. The Southern people had resolved to put down usurpation by terrorism. The Ku Klux Vigilance Committees, supported by a great majority of the white people, administering lynch law on a gigantic scale, carried out their purpose with characteristic determination, energy and ruthlessness. When that purpose was effected, the outrages ceased at once. With legal and unresisted power in their hands, none of the Southern people used it for purposes of vengeance; but till that purpose was achieved the reign of the secret organisation was in truth a reign of terror comparable, not to that of the Jacobins, but to that of the 'Patriots' of 1776. The depth and unanimity of public feeling were attested by the utter inability of authorities invested with all the power of the State and backed by military force to prevent or punish the acts of the Klan. Women and children, schoolboys and schoolgirls by hundreds and thousands knew enough to have set them on its traces; but neither terror, carelessness, temper nor folly ever revealed the clue. The few professed apostates knew little of importance, or never told what they knew. The very victims could not, or dared not, recognise their executioners.<sup>7</sup>

The dominant party in Congress were slow to believe the stories they heard, the reports sent up by State and local authorities, the testimony of their spies. They knew their men too well to trust them. And again, in order to pack the House and Senate with obedient tools, as against the Democratic representatives of the North, they had 'reconstructed' the Southern States, and fettered themselves by legal and constitutional restraints. Zealous as their agents were, they could only arrest on sworn testimony, must produce their witnesses before local courts, and obtain a verdict from local juries. They did their best, as Judge Tourgee unconsciously betrays, to pack these

<sup>7</sup> *A Fool's Errand.*

juries, but in vain. On every jury there were sure to be well-wishers of the Klan, and their associates feared to incur its hostility.

If punishment was impossible, self-defence was scarcely ever attempted. The party organisation which had been installed in full control of the States, which was alone represented in Congress, which controlled the negro vote and pretended to be a *bonâ-fide* majority of the people, was morally and physically powerless. It fell to pieces, as its own advocate declares, like a rope of sand; for it contained no men capable of leading, and few brave enough to make a stand. Behind the mechanical negro vote there was no force of independent manhood. With the loss of its artificial ascendancy, of the powers of government, the so-called Republican party ceased to exist. Its leaders fled to secure their persons and their spoils in their native North; the renegades, abandoning the lucrative minor offices into which they had been thrust, skulked out of notice; the negroes, no longer harangued, excited and inflamed, no longer paraded in quasi-military fashion for an electoral holiday, but confronted by the united force of the master race to which they had so long yielded implicit submission, abandoned without a struggle the franchises thrust upon them.

The recovery was gradual and incomplete. From March 1869 to March 1877 the whole power of the Federal Executive under General Grant was used to sustain the breaking strength, failing authority and ruined credit of the Carpet-bagger Governments. As late as 1876 returning boards under Republican control openly falsified the votes of three Southern States, carried by a decisive majority for Tilden, the Democratic candidate for the Presidency. They were cast for General Hayes of Ohio, and turned the scale in his favour. A Committee of fifteen, selected from both Houses of Congress and from the Bench of the Supreme Court, was appointed to investigate the fraud. By a strict party vote, in which the Judges concurred like the merest politicians, the Commission refused to go behind the return of the State authorities; refused, that is, to enter on the only business referred to them.

But on the expiry of General Grant's double Presidential term, the policy of military interference was abandoned, and since that time the Southern States have returned to the control of their white citizens. Only where, as in Virginia, these themselves have been really divided, has the negro vote been powerful for evil. In Presidential and Federal elections a 'solid South' has cast its vote for its old Democratic allies. To that vote the Union owes its escape at the last election from the rule of the arch-representative of wire-pulling and corruption, the renunciation of the spoils doctrine, the partial purification of the Civil Service, and the installation of the first President, since John Q. Adams, selected under the control of public opinion as the foremost statesman of his party; as one in whose stainless personal character, tried capacity and proven integrity the mass of respectable American citizens, irrespective of party, reposes implicit confidence.



## CHAPTER III.

## FINANCES OF THE WAR.

Confederate Paper — Why issued, how soon worthless — Northern Greenbacks —  
Popular Earnestness — Indiscriminate Taxation — Efforts to pay off the Debt.

NEITHER Government, at or for some time after the outbreak of the war, had the courage to meet, or attempt to meet, by taxation any considerable portion of their expenses. Standing on her defence, liable to invasion, blockade and the capture of her principal commercial cities, the South could be in no condition to bear a heavy taxation. Nor were there any resources from which such taxes could be paid. She had a great aggregate of wealth in her staple crops, but that wealth was valuable only if exported. Stored on her plantations or locked up in her cities, cotton and tobacco were practically worthless. The interruption of trade rendered it hopeless to derive any considerable revenue from customs. Farmers and planters, unable to convert their crops into cash, had nothing wherewith to meet the demands of the Government. The commerce of the South had been in Northern hands; her banks, never very strong, were forced ere the first shot was fired to suspend specie payments. The whole amount of gold and silver in their hands would not pay the cost of three months' war on a large scale. For the same reason there was no money to take up a large Government loan. What might be borrowed abroad would not meet the expenses incurred in Europe for the vessels and material of war the South must obtain from European dockyards and factories. She had no alternative then but the worst, the most ruinous, and, in a prolonged and doubtful struggle, the least reliable of financial resources—the issue of paper money redeemable after the

establishment of her independence and convertible at pleasure into interest-bearing bonds; whose interest, again, during the war, could only be paid in paper. Her financial experiences reproduced on a larger scale and with yet more disastrous effect those of the United Colonies during the War of Independence. Of the four great commercial cities whose wealth is counted in all statistical statements as belonging to the South, Louisville, Baltimore and St. Louis were in the enemy's hands; and New Orleans, after a stringent blockade of twelve months, was also occupied by the invaders.

Paper issued by a revolutionary or quasi-revolutionary Government is always liable to rapid depreciation. Its character is essentially speculative, and its ultimate redemption depends upon the fortune of war. The necessity which originally enforced the adoption of so dangerous a resource presses ever more heavily as the war continues, and can be met only in the same way. The first issue may simply replace the ordinary currency of bank-notes, gold and silver, and may therefore maintain something like its nominal value. After this, the value of a non-exportable currency depends on its quantity. If the actual business of a country demands a circulation of, say, one hundred million dollars, an irredeemable paper currency of two hundred millions falls at once to fifty cents in the dollar. The expenditure in gold value increases with the prolongation of the struggle, and the lower the paper falls the larger must be the issues. Thus the first, or at least the second, step taken launches the Treasury on an inclined plane on which neither rest nor recovery is possible.

On October 1, 1864, the Confederate liabilities amounted to nearly \$1,150,000,000, of which less than half consisted of funded debt and the balance chiefly of Treasury notes. Taxation produced at most a nominal sum of \$90,000,000 a year. By collecting taxes in kind and otherwise, the Government accumulated some 250,000 bales of cotton, which it pledged to English bondholders. The cotton was to be delivered in Confederate ports at about sixpence per pound,<sup>1</sup> and brought at

<sup>1</sup> A bale contains from 300 lbs. to 400 lbs.

the bondholders' risk to England, where it was worth about two shillings. The figures afford conclusive proof of the conscientious economy exercised under every discouragement by the Treasury. The value actually expended during three years and a half of war cannot have exceeded \$400,000,000 (80,000,000*l.* sterling).

The nominal debt of the North was \$2,700,000,000 (540,000,000*l.* sterling). Congress had displayed more courage than the Government, and the people more determination and foresight than their representatives. The expenditure of a single year amounted to nearly \$900,000,000, of which about \$110,000,000 were defrayed from taxation. The only circulation of the country consisted of 'greenbacks' or Treasury notes, from one shilling of nominal value upwards, issued in such excess that, apart from the alarms excited by the changing fortunes of the war, their value may be taken at about fifty cents in the dollar. The greater part of the debt had been borrowed at upwards of seven per cent., but bonds bearing interest in gold were sold at the close of the war at par. Upon the value it actually received and expended, the Federal Government probably paid from nine to twelve per cent. This consideration—the enormous burden thrown upon the future by the depreciation of the currency—has apparently been overlooked by those who have deprecated the strenuous and even heroic efforts of the generation who incurred the debt to pay off the greater part of it. Posterity may fairly be charged with the cost of utterly exceptional struggles for national existence or imperial unity, wars like those of England against Napoleon, of North and South America for independence, of the Northern States to maintain the Union. Of such struggles posterity reaps the larger benefit; the generation which wages them inevitably bears the heavier sacrifice. But the temporary relief purchased by borrowing in depreciating paper what must be repaid in gold, or in three per cents. at 80 instead of five per cents. at par, should in equity be borne by those who have adopted so wasteful a method. The England of 1816 might justly plead exhaustion, but with the

restoration of prosperity certainly commenced the obligation to pay off a part at least of the debt. So long as America enjoys exemption from the necessity of maintaining a standing army and an inland customs line, the North could not reasonably grudge a larger burden than is likely to survive the century, as the price of the victory of 1865.

Under pressure from without, rather than from any scruple of its own, Mr. Lincoln's Government at last resorted to a wholesale and indiscriminate taxation, the most burdensome and exorbitant that any civilised Government of modern times has attempted; a taxation far more sweeping and severe than that which was entailed on England by the tremendous and protracted burden of the war for independence, honour and existence waged against Revolutionary and Imperial France. Sidney Smith's epigrammatic description of the fiscal system of 1814 would apply, strictly and literally, to the American tariff and excise of 1864. The North had no financier worthy of the name; the only idea of her statesmen was to tax everything and see what yielded enough to pay the cost of collection. The Republican States of the North-East saw and used their opportunity without scruple or reserve. A protective tariff, the most oppressive and reckless that the wit of man and the greed of class has ever devised, turned the agony of their country to the profit of the manufacturers and mine-owners of New England and Pennsylvania. They made enormous profits out of the monopoly secured to them by the Morrill tariff, out of war contracts and lucrative jobs; they established, and still maintain, a fiscal system under which a monstrous tribute is levied on the Union for the benefit of a small section, upon fifty million consumers for the gain of a few hundred capitalists and the more doubtful advantage of as many thousands of operatives. This shrewd and selfish speculation may have had something to do with the pertinacity with which New England supported the war, with the decisive majority in Congress which approved every measure of the Administration and voted down every effort at conciliation, every censure on the havoc perpetrated by men like Sherman and

Sheridan, Banks, Pope and Hunter. The West was heartily in earnest; the doubtful States were carried by the interested classes. A larger number of voters than turned the scale in Mr. Lincoln's favour in the election of 1864 (the coerced States and the military vote, which certainly was not really free, omitted) believed themselves to have a separate and selfish interest in the ascendancy of the Republican party. A majority of one thousand, it must be remembered, suffices just as effectively as one of fifty thousand to cast the thirty electoral votes of a great State on one side or the other; so homogeneous are many, perhaps most, Northern and Western States that a class vote of a few thousands may give an absolute control of the Legislature, the Government, the choice of Senators, Representatives and Presidential electors to the party which bids highest for it.

But, while it is necessary to recognise and allow for the baser motives which secured an artificial support to the Republican party, an artificial and dishonest cry for heavy taxation, it would be unjust to overlook the evidence which the popularity both of the war and of the internal revenue system affords of the genuine enthusiasm of a full half of the Northern people; the readiness of hundreds of thousands to fight, the rarer readiness of millions to pay and to endure a most vexatious, irritating, harassing mode of exacting payment—and this long after the excitement of the conflict was over—for the maintenance of the Union. The cause seems to me as bad as it well could be; the determination of a mere numerical majority to enforce a bond which they themselves had flagrantly violated, to impose their own mere arbitrary will, their idea of national greatness, upon a distinct, independent, equally determined and almost unanimous people. The North fought for empire, and for an empire which was not and never had been hers; the South for an independence she had won by the sword, and had enjoyed in law and fact ever since the recognition of the thirteen 'sovereign and independent States' by England—if not since the foundation of Virginia. Slavery was but the occasion of the rupture, in no sense the

object of the war. If the South had freed and armed her slaves in August 1861, she would not have been less certainly or less fiercely attacked, nor would the war have been less ruthlessly waged or less resolutely pressed to its only end—subjugation. But the patriotism of the North, if unjust, aggressive, contemptuous of law and right, if it present a poor appearance beside the boundless devotion, uncalculating sacrifice, magnificent heroism and unrivalled endurance of the Southern people, was none the less genuine—a display of individual loyalty, popular resolution and political courage worthy the remembrance and imitation of kindred peoples, in an age when political cowardice parades as statesmanship, when helpless ignorance or recreant faintness assume the guise of exalted justice and cosmopolitan philanthropy, when the weakness that yields to treasonable obstruction and criminal menaces masquerades in the garb of generosity, and men, if not classes, incapable of patriotism pretend to be above it.

---

*NOTE ON THE POLICY OF RECONSTRUCTION.*

THAT the Reconstruction scheme of Congress was deliberately intended to secure the ascendancy of the Republican faction against the chances of reaction in the North, by creating a fictitious Republican constituency to control both the domestic government and the Federal elections of the eleven conquered States, no careful student of the records of the time will be disposed to dispute. But such students are very few; and the current tradition of Northern clemency—as well as the natural disposition of Englishmen to ascribe to responsible statesmen a conscientious desire to do their best for their country that personal consistency and party interests will allow—must dispose my readers to receive my account of the conduct and motives of the Republican leaders with distrust. Above all, they are disinclined to believe that the policy of the dominant party was at once dishonest and vindictive; that the Congressional majority were animated not merely by selfish

designs,<sup>1</sup> but by a rabid irrational hatred of a people who had fought so gallantly for what the best jurists believed to be their moral and constitutional rights. No Englishmen who were not, like myself, familiar with the tone and temper of American politics and society from 1860 to 1876 will readily conceive how unscrupulous was the spirit of party; how fierce and vindictive the policy of the Congressional leaders; how shameless the profligacy, how monstrous and open the corruption, how startling the indifference to personal character, public duty, and even pecuniary integrity, commonly imputed to the Administration of General Grant and the dominant faction in the Senate and the House of Representatives.

The difference between the American and English press is still great; the former was, fifteen or twenty years ago, as much baser and more vulgar as the latter was purer and more dignified than now. But the contrast between Congress and Parliament was still more striking. A people accustomed to be ruled by the flower of its aristocracy can hardly conceive the condition, tone and language of public life in a country where 'politician' is a term of reproach. It would not be too much to say that the average level of intelligence and character in Congress during the period of Reconstruction was scarcely higher than that which prevails among the representatives of the Irish National League. The universal corruption introduced by the war, with its sudden, enormous, unmanageable extension of expenditure and its tendency to identify the party interests of the Republican Administration with the Union cause, secured toleration for the worst malpractices, and prevented exposures which threatened to weaken the Government; degraded alike the intellectual and the moral standard of public men. The tone of political conversation would have astonished an English gentleman accustomed to the talk of English party clubs when party spirit runs highest. In the Reform and in the Carlton alike it is assumed that the integrity of statesmen, the impartiality of judges, the loyalty of the services, is above suspicion. My elder readers will remember the surprise excited when the private secretary of a Minister, the most heartily hated in England, was accused of dabbling in the Funds. The mere indiscretion ruined him; but no one dreamed that his chief was even

<sup>1</sup> On June 7, 1866, in the Senate, Mr. Davis of Massachusetts said that 'the paramount object of the Radical party was continuance in office and power, and their chief means negro suffrage; and the machinery was a perpetual howl for justice and protection to loyal citizens of African descent.'—Wilson's *Reconstruction*, p. 263.

aware of it. One of Grant's favourites, a Cabinet Minister, was convicted of corruption; and the general feeling was that he was not more guilty but more unlucky than others. I can myself vouch for the fact that Ministers and leading Senators were assumed, in general conversation, to make fortunes in Wall Street by the use of official information and political influence. The idea was not put forward as an accusation, but as a matter of course.

The debates of Congress, the Republican organs, the contemporary writings of partisans, were marked by a violence and ferocity of feeling, thought and language that, to a reader of to-day, are unintelligible if not incredible. Mr. Wilson's history of the Reconstruction measures records with passionate sympathy expressions of sectional animosity, charges not merely false and foul, but devoid of any show of reason, and often palpably impossible, daily flung out against the whole Southern people, their most distinguished statesmen and their noblest soldiers. Thaddeus Stevens was the leader of the Republican party in the House; the rest of those whose utterances I quote below were average exponents of its feeling.<sup>2</sup>

<sup>2</sup> Mr. Stevens said, May 8, 1866: 'Do not, I pray, admit those who have slaughtered half a million of our countrymen until their clothes are dried, and until they are re-clad. I do not wish to sit side by side with men whose garments smell of the blood of my kindred. Gentlemen seem to forget the scenes which were enacted here years ago. . . . Would you have those men back again to re-enact those scenes? Wait till I am gone, I pray you.'

On December 18, 1865, Mr. Stevens said: 'Without the right of suffrage in the late Slave States, I believe the slaves had far better been left in bondage. The doctrine of a white man's government is as atrocious as the infamous sentiments that damned the late Chief Justice to everlasting fame, and I fear to everlasting fire!' *Thaddeus Stevens*, by E. B. Callender, 1882.

On March 19, 1867, on the Confiscation Bill, he said: 'While I would not be bloody-minded, yet if I had my way I would long ago have organised a military tribunal under military power, and I would have put *Jefferson Davis and all the members of his Cabinet* on trial for the murders at Andersonville, the murders at Salisbury, the shooting down of our prisoners of war in cold blood. Every man of them is responsible for those crimes. It was a mockery to try that wicked fellow Wirz, and make him responsible for acts of which the Confederate Cabinet were guilty. Of course they should be condemned. Whether they should be executed afterwards I give no opinion. As to the question of confiscation, I think that a man who has murdered a thousand men, who has robbed a thousand widows and orphans, who has burned down a thousand houses (!), escapes well if, owning \$100,000, he is fined \$50,000 as a punishment and to repair his ravages. I do not say nor do I ask that anyone should be executed in this country. There has got to be a sickly humanity here which I dare not get along side of for fear I might catch it.'

On June 13, 1866, Mr. Windom of Minnesota said (referring to the Presi-



The wholesale confiscation of Southern property was deliberately recommended by the responsible leaders of the party.

Mrs. Lee's property at Arlington was confiscated by Mr. Lincoln without pretext of law, and turned into a national cemetery. Some

dent's policy) : ' This grand panacea for all our political ills is based upon the theory that the people who attempted by violence and perjury to destroy the Government, who waged a *most wicked and diabolical* four years' war for the establishment of a slaveholding empire upon the ruins of the Republic, who *murdered* our soldiers in cold blood, *who fired our hotels filled with women and children*, who starved our soldiers to death in loathsome prison-pens within sight of storehouses groaning with Confederate supplies, *who polluted the fountains of life by knowingly inoculating prisoners with the virus of a nameless disease* which will scourge them to their graves and entail untold suffering upon their innocent offspring, who laid down their arms only when our victorious bayonets were at their throats, *and who*, when professing to accept the issues of the war, *assassinated the nation's honoured chief*—that this people, without any evidence of repentance, but with every indication of sorrow for the 'lost cause,' and of bitter hatred towards it 'the Union' and its defenders, have suddenly become sufficiently loyal to be trusted with all the rights and franchises they have renounced or forfeited ; that in 'accepting the situation' they have entitled themselves to step at once, unquestioned, from the rebel Congress and the rebel camps into the halls of legislation, to make laws for the Republic which they have so recently tried in vain to destroy ; to become the guardians of our widows, orphans and disabled soldiers, and custodians of all the civil and political rights of the humble coloured patriots whom they held in slavery as long as they could.'

June 8, 1866, Mr. Shellabarger of Ohio said : ' They framed iniquity and universal murder into law. They besieged for years your capital, and sent your bleeding armies, in rout, back here upon the very sanctuaries of your national power. Their pirates burned your unarmed commerce upon every sea. *They carved the bones of your unburied heroes into ornaments, and drank from goblets made of their skulls. They poisoned your fountains, put mines under your soldiers' prisons, organised bands whose leaders were concealed in your homes, and whose commissions ordered the torch and yellow fever to be carried to your cities and to your women and children. They planned one universal bonfire of the North from Lake Ontario to the Missouri. They murdered by systems of starvation and exposure 60,000 of your sons, as brave and heroic as ever martyrs were. They destroyed in the five years of horrible war another army so large that it would reach almost round the globe in marching column ; and then, to give the infernal drama a fitting close, and to concentrate into one crime all that is criminal in crime and all that is detestable in barbarism, they killed the President of the United States.*'

' Let the revolted States base their Republican State Governments upon a general and sincere loyalty of the people and come to us under the guarantees of this renewed union, and we hail their coming and the hour that brings them. If you ask again, Suppose such general loyalty should never reappear, shall they be dependencies for ever ? Sir, convince me that the case is supposable, then with the deepest sorrow I answer—FOR EVER !'

sixteen years elapsed before law was so far restored that her heirs were allowed to bring the case to trial, when the 'martyr President's' act was reversed, as one of lawless spoliation.

Such was the tone and language of the authors of Reconstruction, one and all; language to be paralleled only in the ravings of the Jacobin Club and the Carmagnoles of Barrère. They did not hesitate to 'draw an indictment against a nation.' Men, the most honest of whom had been themselves Secessionists, forgetting that the arbitrament of the sword, in settling the fact, left the right exactly where it was in 1789 and 1860, demanded that the vanquished should not only renounce but denounce the principle which they and their fathers had upheld from the very foundation of the Union; should plead guilty, not to misfortune or mistake, but to crime; should apostatise from their faith, stigmatise their leaders, and dishonour the dead who had died beneath the Starry Cross for law and right, for freedom and fatherland. As well might Cromwell have called on the vanquished Cavaliers to abjure episcopacy and the Prayer Book, to set their signatures to the death-warrant of the Royal Martyr. As well might Halifax and Rochester have been excluded from the Parliaments of William III. till they should do public penance for resisting the Exclusion Bill. A faction which thus confounded its latest and extremest dogmas with the

'In September, 1865, Mr. Stevens delivered a speech in the city of Lancaster, in which he advocated the confiscation of the property of all the leading rebels whose estate was worth \$10,000, or whose land exceeded 200 acres in quantity. He estimated that one-tenth of the whites only would lose their property by such a proceeding; yet that most of the real estate would be confiscated, it being held by the few. Of the property thus to be taken from the wealthy rebels, he declared that justice demanded that forty acres of it should be given to each freedman, and the balance sold to liquidate the national debt. He calculated that by this process the sum of 3,500,000,000 dollars would flow into the public treasury, enough to pay off the debt contracted in the subjugation of the Southern people.'

On February 8, 1865, Mr. G. W. Julian of Indiana, characterising the conflict as a war of the people, said: 'They (the people) expect that Congress will pass a Bill for the confiscation of the fee of rebel landholders, and they expect the President will approve it. They expect that Congress will provide for the reconstruction of the rebel States by systematic legislation, which shall guarantee Republican Governments to each of those States, *and the complete enfranchisement of the negro.* . . . They expect that Congress will provide for *parcelling out the forfeited and confiscated lands of the rebels* in small homesteads among the soldiers and seamen of the war, as a fit reward for their valour, and a security against the ruinous monopoly of the soil in the South.'—*A Review of the Political Conflict in America*, by Alexander Harris. New York, 1876. P. 396.

eternal, unalterable, unmistakable principles of right and wrong, leaders who could regard the most heroic struggle recorded in history as a national crime, a difference of constitutional principle as a moral iniquity—for secession, not slavery, was the offence for which the South was reviled, and half her soldiers were guilty, not of secession, but only of loyalty to their States—was not likely to admit of a distinction between the maintenance of its own domination and the welfare of the country. To men in such a temper, next to the security afforded for the permanence of their own power, it was the strongest recommendation of the Reconstruction that it wounded the pride, outraged the convictions, humiliated the self-respect and ruined the prospects of the Southern people.

'The Prostrate State' is an account by an ultra-Republican journalist of the 'Carpet-bag' Government of South Carolina. It is a fair average picture of the rulers and the condition of the South under the Reconstruction Acts. I quote a few illustrative passages :—

'The last Administration stole right hand and left with a recklessness and audacity without parallel. The thieves had to combine to aid one another. It took a combination of the principal authorities to get at the Treasury, and they had to share the plunder alike.'—*The Prostrate State*. J. S. Pike. New York, 1874. P. 25.

'The present Governor was Speaker of the last House, and he is credited with having issued during his term in office over \$400,000 of pay "certificates," which are still unredeemed and for which there is no appropriation, but which must be saddled on the taxpayers sooner or later. The Blue Ridge Railroad scrip is another scandal embracing several millions of pure stealings. The case is briefly this: Some years ago a charter was obtained for a railroad across the southern end of the Blue Ridge from South Carolina into Kentucky. It was difficult work, and the State promised its aid on certain conditions. The road was never made, and these conditions were never fulfilled, but since the restoration the State obligations were authorised to be issued. But this was not the worst of it. The sum authorised was \$1,800,000. It turns out that on the strength of this authority over \$5,000,000 has been issued. It was rendered available to the holders by being made receivable for taxes, and in this way has got spread abroad. The whole scheme has been for the moment frustrated by a decision of the courts that the entire transaction is fraudulent and void from the start. With \$5,000,000 of this stuff afloat, which the Legislature can legalise if the members are paid enough, what hope is there that the State will escape liability for the emission?'—*Ib.* p. 26.

'The new Governor has the reputation of spending \$30,000 or \$40,000 a year on a salary of \$3,500, but his financial operations are taken as a matter of course, and only referred to with a slight shrug of the shoulders.' *Ib.* p. 29.

'The total amount of the stationery bill of the House for the twenty years preceding 1861 *averaged* \$400 per annum. Last year it was \$16,000.'

'Last year the Treasury was in great straits on one or two occasions for money to anticipate the taxes. Some of the banks came to its aid and advanced about \$60,000. They were this year compelled to go before the Committee of Claims to get reimbursed. The shameless rascals refused to pay the claim unless they were allowed to bag some 15 or 20 per cent. of it for their share! Another plan was the subsidising of nearly all the newspapers. One lump sum of \$75,000 was divided in sums varying from \$1,000 to \$7,000, and a list of the papers subsidised was published by order of the Legislature.'—*Ib.* p. 30.

'The whole amount of the printing bills of the State last year (1872) it is computed (for everything here has to be part guesswork) aggregated the immense sum of \$600,000.'—*Ib.* p. 31.

'Some notorious plunderers had, a year or two before, obtained a charter to furnish the city of Charleston with pure water. They refused to execute the work in order to extort a bonus from the city itself for the charter. The city declined to be robbed in this way, and went to the Legislature for a new charter. Everybody was in favour of giving it except those interested in the old one. The knaves, by their boldness, were able to defeat the city and prevent the passage of the bill. This was accomplished in the Senate by a black man, who declared his purpose to defeat the measure by obstructive proceedings. The Senate was a unit for it, with the exception of three or four interested in the old charter, whom this sable legislator led. After a wearisome contest, in which all the arts of legislative obstruction were practised, this Senator finally moved an amendment providing for the introduction of hot water, and on this absurd proposition talked several hours in a night session, threatening to talk all night. In this way the patience of the Senate was finally exhausted, and with an overwhelming majority in favour of the measure gave up the contest with the black filibuster, and allowed him to defeat the Bill. Who shall say after this that Sambo any longer needs "Carpet-baggers" to lead him?'—*Ib.* p. 50.

The State Legislature appropriated \$700,000 for the purpose of buying land for the freedmen.

'The parties concerned in the application of the money began at once to rob the State, and rob the freedmen of the advantages proposed by the appropriation. They bought land worthless for the object in view, and, by collusion with the sellers, paid for it at a low price and charged it to the State at a high one; thus swindling the State out of its appropriation and the negroes out of the lands.'—*Ib.* p. 150.

'The total sum expended in the purchase of lands as shown by the deeds on file in this office is \$577,517, leaving a difference of \$224,620.40, which, so far as the records of this office show, is totally unaccounted for.'

'One F. J. Moses, jun., from Brooklyn, New York, was the Speaker of the

---

<sup>3</sup> 'The treasurer reports that he has paid on account of the Land Commission \$90,058.25, making a total expenditure of \$802,137.44.'—*Ib.* p. 150.

House. There was a negro member of the House, by name Whipper, who was the proprietor of fast horses. Moses and Whipper had made up a match race for \$1,000 a side. The race was fixed to come off on the said 4th day of March; and the explanation of the recess on that day is that the House adjourned to attend this horserace. The race was run and the Speaker lost the bet of \$1,000. Three days afterwards, on the day of final adjournment, and the very last thing done in the House, as shown by the journal, was a motion made by Whipper, "that a gratuity of \$1,000 be voted to the Speaker of this House for the dignity and ability with which he has presided over its deliberations." The motion was passed by a large majority.'—*Ib.* p. 199 *et seq.*

THE END.



